

**A-1**

Dov Malnik

[REDACTED]  
New York, NY 10024

The Honorable Victor Marrero  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan US Courthouse  
500 Pearl Street, New York, NY

September 24, 2021

Dear Judge Marrero,

Several years ago I made the worst mistake of my life. I broke the law, and I deeply regret it. My actions go against everything I stand for, the values I was taught by my dear parents, and the way I see life. I have always tried to make people around me happy and have a positive influence, but over the last year I have brought nothing but an immense amount of pain and sorrow on my family and friends. I have hurt the people I love most and I will never forgive myself for putting them through this nightmare. I write this letter first and foremost as a sincere heartfelt apology to my loved ones and to this Court.

Throughout the years, I was very proud of the life I led. With years of hard work I rose to be a decorated athlete, represented my country in competitions around the world, received a swimming scholarship to put me through university in the US and proudly served my country in the army. When an injury ended my swimming career, I started over and built a successful career in finance. Yet, the highlight for me has been building a family with my wife Celine, the love of my life, whom I met 15 years ago when I came to Geneva. I love Celine for who she is, an extremely modest person, very honest, who simply loves her job as a teacher educating kids. I admire that. She is my compass, my anchor, the one I know I can always lean on. Celine and I have built together a simple and beautiful life, creating our own little family with our two children: [REDACTED], who is 4.5 and [REDACTED] who is 2. The birth of my first child, [REDACTED], changed my life forever and nothing in my world has been the same. If you asked me to describe myself in one word, I would not hesitate: “a father.” My children are the pride of my life—they give my life purpose. Since becoming a father, my definition of “success” is no longer professional but rather being the best father and husband I can be.

I have now nearly lost all that I have worked for. About a year ago, when I was on my way to pick up my son [REDACTED] from his grandmother’s house, I could have never in a million years imagined that I would not get to see him again until nine months later. But on my way I was arrested and subsequently detained in Switzerland’s most notorious prison, Champ Dollon.

Your Honor, I can say with complete certainty that being in prison Champ Dollon was the worst experience of my entire life. Upon arrival, I was first placed in isolation for 12 days, because of

COVID-19 restrictions, alone in a cell 24 hours a day, not seeing or speaking to anyone during that time. COVID-19 outbreaks in Switzerland forced the prison to take drastic measures and made life in prison even more difficult than it is normally. There were riots and unrests, and petitions for aid were filed by detainees as well as guards, but nothing helped to ease these restrictions.

When I was told how scarce phone calls were at Champ-Dollon and that, since there are only three phones for the entire facility, I would not be able to make my first phone call for seven weeks, I simply collapsed, both physically and emotionally. In the long lonely days in my cell, my feelings of shame were overwhelming. A shame of getting to this point, for putting my family through this hell, that life in prison will now forever be part of our past. All I could think about was Celine and the kids. I was worrying for Celine and her well-being, for how she could handle taking care of two very young, challenging children, all by herself. I have always tried to protect Celine, and to take care of our family, but from behind the prison walls, I felt helpless.

Surely, I am not the first one to tell Your Honor how difficult a prison is. But for someone like me, who has never had any interaction with the law, the shock was immense. I was held in a cell 23 hours a day throughout most of my time there, disconnected from the world, with nothing to do but to sit and think, trying to hold back the tears that seemed to burst with every thought.

The only thing that kept me going while I was in prison was the support I got from my family and friends. My wife, Celine, kept reminding me in her letters of who I am to her and to our kids, encouraging me not to forget my role in our family and to keep my spirit strong for her and the kids. The overwhelming support I got from so many friends was also a lifeline for me. The letters I received lifted my spirit and gave me strength to remember that people still cared, and that life would resume one day. And so, slowly I stopped feeling sorry for myself, started accepting that this is the product of my own making, and that I need to accept it, take responsibility for it, and try to do the best I can to make it right.

There was a specific letter from my brother Daniel, three months into my incarceration, that really turned the switch for me. He told me that my letters talking about the difficulties I was facing in prison were really demoralizing to my loved ones outside, but how when they got an upbeat letter from me, suddenly everyone got a shot of energy and vitality. I then realized that I still had power, even from within the walls of prison, to actually help my family. I needed to be strong and to put my family's needs above my own, to get them through this difficult time.

[REDACTED], was 13 months old when I was arrested. Not yet walking or talking, just starting to react to the world, she was always smiling, always happy, and I was completely in love. In the 8 months I was incarcerated, I got to see my little [REDACTED] only once. One time. Through a Plexiglas window and phone, I desperately tried to make contact with her. [REDACTED]

[REDACTED] In those long months in prison, I missed her first steps walking, running, missed her first words, so many words. I missed the first time she went to kindergarten and the first time she ate by herself. There

were so many other “firsts” that I have missed out on forever, because of my actions, and that regret will live with me forever.

As for my son [REDACTED]

[REDACTED] I love him in a way that is physically painful. That’s why the conditions at Champ-Dollon were so unbearable for me. [REDACTED]

[REDACTED] This is something I will have to live with for the rest of my life.

The last year took a heavy toll on my parents as well. I have always said that they are my role models. They had a challenging life, but through hard work and self-sacrifice, they built a family and a life to be proud of. From a very young age I was taught by them to work hard to achieve my goals. My parents raised me and my brothers to be good people, responsible and honest men. Today, I am ashamed to look them in the eye and know that I have disappointed them. I am so sorry that instead of being there to support my father in his [REDACTED] treatments, my incarceration made it only worse for him. I dream of being free and being with him, to support him and help him fight the cancer, so that there can be some joy again in my parents’ lives. .

After more than 8 months in prison in Switzerland, I was placed in home detention in New York. After what I had been through, it was like a lifeline, a much-needed dose of oxygen for a drowning man. Even very far from my home and my family, home detention still allowed me to have some contact with my loved ones, to hear my children’s’ voices, and to offer reassurance to my wife.

In July, my wife and kids were able to travel to New York to visit me for a few weeks during their summer break. Words cannot begin to describe how good it felt to have our family reunited again. To finally be able to see their faces and hold them in my arms. [REDACTED]

The four of us were inseparable. We spent every waking moment together. I tried to give them everything I had to compensate, even a little bit, for what they have been through. [REDACTED]

[REDACTED] . But, even in these down

moments, I kept reminding myself how fortunate I am to have such a supportive family, and healthy kids, and that luckily, they are still by my side.

Now that they have left because it is the school year in Switzerland, we do our best to stay in touch and communicate by video as much as we possibly can. [REDACTED] constantly asks Celine to allow him to video chat with me. Sometimes he puts the phone in his pocket and "carries" me around with him while he plays in the house, or eats dinner, just so we are "together." Even though I am not there, he sometimes puts the phone on the kid's slide in our garden and tells me "Aba, do you want to slide fast or slow?," just before he lets go of the phone and lets it go down the slide... again and again. I am grateful that I am able to "play" with my son, even in this strange and different way, but I am also just praying for this nightmare to be over so I can actually be there next to him, father and son.

Your Honor, as sentencing approaches, my two young children's future is hanging in the balance. I know that I can handle anything you will decide and I will accept whatever Your Honor deems appropriate. For me, accepting responsibility also means coping with the consequences. But I am terrified for my children, and I beg you to recognize that the consequences for them have already been dire. I assure you that I have learned my lesson. I wish more than anything that there was a way to go back in time and do things differently, but I cannot undo my mistakes. This conviction will stay with me the rest of my life, but it will not define who I am. I understand that the road ahead will be a long one, but I am committed to starting over, reinventing myself, regaining my place in society, contributing and helping others in need, and, most importantly, giving all that I can to regain the trust of my loved ones.

All I ask for is a second chance. Thank you for taking the time to read my letter and for your consideration.

Sincerely,



Dov Malnik



**A-2**

Céline Engeli

██████████ Vessy, Switzerland

**The Honorable Victor Marrero**

**United States District Court, Southern District of New York,**

**Daniel Patrick Moynihan US Courthouse**

**500 Pearl Street, New York, NY, USA**

September 9th, 2021

Your Honor,

My name is Céline Engeli and I am writing this letter in support of my husband, Dov Malnik, and in hope you will allow my sincere words to shed light on what kind a man Dov is, what he means to my life and what has become of them in the last year.

I was born and raised in Geneva Switzerland, I am 38 years old and together with Dov we have two young children, ██████████ who is 4.5 and ██████████ who is 2. I work as a high school mathematics teacher for 16 -18 years old, in a Geneva high school. I have a Bachelor's degree in mathematics, a Master's degree in Statistics and another Master's degree in Pedagogy, all from the University of Geneva.

I met Dov in 2006 when I was completing my Bachelor studies. We met in an event where I was working as a hostess and Dov passed by with a friend. Our eyes crossed few times and in the end of the evening when everyone left, Dov was waiting to ask me out on a date. His big smile and good eyes were hard to resist, and even though we had a language barrier since Dov did not speak French at that time, we hit it off immediately. Dov and I both come from simple backgrounds, our families all lived normal and ordinary life, and we share many common values which is very important to me. We like the simple things in life like taking trips in the nature, spending time in the snowy mountains, or watching the sunset in Tel Aviv's beach. We are both dedicated to each other and support each other in thick and thin and for both of us our kids are the most precious thing in life.

Dov quickly became a solid companion in my life, the rock on which I lean, and with his strong shoulders he always tried to protect me from any harm. He always took everything upon himself no matter how difficult it was.

I knew many years ago that Dov would be an amazing father, and I was not wrong. He is the most dedicated and involved father a child can have, someone who adores his kids and will do everything for them. I know that he will educate our kids to grow to be good people, because of who he is himself - he is truly the kindest and goodhearted person I have ever met. A sensitive man with a big heart who loves and cares for everyone. He has a very optimistic view of the world and always truly looks at the positive in every situation.

Dov is also a devoted partner. He has always supported me in my life and my professional choices. It was very important for me to create my life and family with a partner who has values and supports me at all times. Dov is that kind of person. He always made many sacrifices to accommodate my needs and was able to make even complicated situations succeed with his determination.



Until Dov's arrest, our life was punctuated by [REDACTED] car games, bicycle tours in the countryside and our baby girl [REDACTED] who started to discover the world. In the happy family moments, Dov has always been there. He's always been there in tough times too.

I want to tell you a bit about our son [REDACTED] because this past year has been extremely difficult, especially for him. [REDACTED]

After his release from the hospital, [REDACTED]

On October 7, 2020 Dov was arrested. He said goodbye to his children as if he was going to see them again few hours later. In fact, he was supposed to pick them up at my mother's in the afternoon but was arrested on the way there while they were waiting for him. The next time our children got to hear Dov's voice was not until December 1, 2020. A call of 15 minutes at 7:30am, after 2 months of zero contact. [REDACTED] would not see Dov until 4 months after Dov's arrest. [REDACTED] would see him only once through 8 months of incarcerations. "Seeing" in those few meetings meant through a plexiglass window and a phone, no physical contact whatsoever, and not even being able to see his face which was covered with a mask. [REDACTED] was able to chat for few minutes with Dov over the phone in the rare occasions where Dov was allowed to make a phone call, but [REDACTED] was not even old enough to speak on the phone, and the contact was mainly limited to the primitive hand written letters sent by post. And since our children are not old enough to read or write, Dov with his determination to keep contact with the kids at all cost, started drawing paintings to them.... animals, cars, flowers and smiling suns. With drawing moments of joy, Dov tried to help the children stay positive in any way he could.

Another incredibly touching thing Dov did was a bedtime book with our kids' favourite Disney character - Mickey Mouse. He created a cartoon story with drawings of Mickey Mouse being sent by Daddy to help the children stay happy. Mickey plays with them, takes them on a trip in his car, have dinner together and teaches them to smile even if sometimes they are sad. Dov was never gifted as an artist before, but prison got out hidden talents from him, I guess. Every evening [REDACTED] would say "mommy can you read me Aba's (Daddy's) book? He sent Mickey to play with me!", sometimes telling me he dreams that when he wakes up maybe Dov will be back. This book gave him a link to his father, and I am so proud that Dov who was [REDACTED].

But [REDACTED] needs his father, and nothing can replace that. Since Dov's arrest [REDACTED]

For [REDACTED], the situation was complicated as she is too small to even speak on the phone in the rare occasions where Dov could call. In fact, in the 8 months Dov was in prison, save from one meeting, she literally had no contact with him. She gave very clear signs that she is [REDACTED]

The truth is that Dov's presence is essential also for [REDACTED]. The prison conditions were like a descent into hell for me. I work as a teacher in a vocational school, I also have many meetings in the late afternoon and evening and work to take home. Since the start of the pandemic, it has been even more challenging because it affected strongly students with educational difficulties like my students. With Dov's absence and with [REDACTED] and [REDACTED] both waking up multiple times every [REDACTED]

Since Dov's placement in house arrest in NY on June 11<sup>th</sup>, we were finally able to have some contact with him, initially through video calls, but these are far from an alternative to real contact, especially for very young children. Then finally after so long, we came in July to New York and for the first time in 9 months, I hugged Dov, [REDACTED] got the "bear hug" he always loved and [REDACTED]. We were so happy together, but the truth is that it was hard to enjoy when every joyful moment is followed by the creeping fear of what will happen if Dov is taken from us again.

We had to leave back to Switzerland, or else I would lose my job, and now the kids call Dov 8 times a day, asking me to do a video call to show him everything they do. "Aba look how I ride my bicycle" [REDACTED] says, and [REDACTED] tries to show him how high she can jump on the sofa. They are constantly making sure he is still there, asking him where he is, what he is doing, inspecting for signs of a new disappearance. [REDACTED] I am so scared of what will happen if Dov is incarcerated again an ocean away from us, and the kids would lose even this reassurance.

Finally, I want to tell you that despite all that we have gone through, I still strongly believe in Dov and his character. I am very proud of how he handled the difficulties during his incarceration and

even when in the horrible Champ-Dollon prison he still tried to help people. He often wrote how it deeply affected him to see all the misery in prison, inmates whose life have been very cruel. People with no family support, nothing outside the prison to look forward to. He wrote how fortunate he felt to have supportive family and life to come back to, and how sorry he was to cause all this pain to his surroundings. He ordered food in the prison's Cantine to give to inmates who did not have money, he helped them with writing letters, with advice. I felt in his letters that he really cared for them and hurt their pain. I know that his reflection and remorse for his actions has intensified so much after seeing closely the unfortunate situation of these inmates.

My upbringing taught me the importance of obeying the law and embracing values as fundamental parameters of life in society. I deeply believe in redemption and the ability to learn from mistakes to become a better person. Dov's sincere remorse for his actions is significant. My many conversations with him convinced me of his steadfast willingness to take responsibility. I am sure that Dov understands his mistakes and will never do anything to slightly jeopardize his loved ones. I am committed to provide Dov with all the support and love he will need to get his life back on track and have a productive and fulfilling existence.

Please accept, honorable Judge, my respectful greetings.

Céline Engeli

A handwritten signature in dark ink, appearing to be 'Céline Engeli', written in a cursive style with a long horizontal stroke at the end.

Céline Engeli

██████████ Vessy, Suisse

L'honorable Victor Marrero

Tribunal de district des États-Unis, district sud de New York,

Palais de justice américain Daniel Patrick Moynihan

500 Pearl Street, New York, NY, États-Unis

9 septembre 2021

Votre Honneur,

Je m'appelle Céline Engeli et j'écris cette lettre pour soutenir mon épouse, Dov Malnik, et dans l'espoir que vous permettez à mes paroles sincères de faire la lumière sur l'homme qu'est Dov, ce qu'il représente dans ma vie et ce qu'elle est devenue au cours de la dernière année.

Je suis né et j'ai grandi à Genève en Suisse, j'ai 38 ans et avec Dov nous avons deux jeunes enfants, ██████████ qui a 4 ans et demi, et ██████████ qui a 2 ans. Je travaille dans une école à Genève. J'ai une licence en mathématiques, une maîtrise en statistique ainsi qu'une autre maîtrise en pédagogie, toutes obtenues à l'Université de Genève.

J'ai rencontré Dov en 2006 alors que je terminais mes études de Bachelor. Nous nous sommes rencontrés lors d'un événement où je travaillais et Dov est passé avec un ami. Nos regards se sont croisés quelques fois et à la fin de la soirée quand tout le monde est parti, Dov attendait pour m'inviter à un rendez-vous. Il était difficile de résister à son grand sourire et à ses yeux pleins de bonté, et même si nous avions une barrière linguistique puisque Dov ne parlait pas français à ce moment-là, nous avons tout de suite sympathisé. Dov et moi venons tous les deux de milieux simples, nos familles vivaient toutes une vie normale et ordinaire, et nous partageons de nombreuses valeurs communes qui sont très importantes pour moi. Nous aimons les choses simples de la vie comme faire des excursions dans la nature, passer du temps dans les montagnes enneigées ou regarder le coucher de soleil sur la plage de Tel Aviv. Nous sommes tous les deux dévoués l'un à l'autre et nous nous soutenons mutuellement. Pour nous deux, nos enfants sont la chose la plus précieuse au monde.

Dov est rapidement devenu un compagnon solide dans ma vie, le rocher sur lequel je m'appuie, et avec ses fortes épaules il a toujours essayé de me protéger de tout mal. Il a toujours tout pris sur lui, peu importe à quel point c'était difficile, et quand nous avons finalement lié notre destin lors d'une petite cérémonie religieuse juive, j'étais tout simplement heureuse.

Je savais depuis de nombreuses années que Dov serait un père extraordinaire, et je n'avais pas tort. Il est le père le plus dévoué et impliqué qu'un enfant puisse avoir, quelqu'un qui adore ses enfants et fera tout pour eux. Je sais qu'il éduquera nos enfants à devenir de bonnes personnes, à cause de qui il est lui-même - il est vraiment la personne la plus gentille et la plus généreuse que j'aie jamais rencontrée. Un homme sensible au grand cœur qui aime et prend soin de tout le monde. Il a une vision très optimiste du monde et cherche toujours le positif dans chaque situation.

Dov est également un partenaire dévoué. Il m'a toujours soutenu dans ma vie et mes choix professionnels. Il était très important pour moi de créer ma vie et ma famille avec un partenaire qui

a des valeurs et me soutient à tout moment. Dov est ce genre de personne. Il a toujours fait de nombreux sacrifices pour répondre à mes besoins et a été capable de trouver des solutions à des situations compliquées grâce à sa détermination.

Jusqu'à l'arrestation de Dov, notre vie était rythmée par les jeux de voiture de [REDACTED], nos balades à vélo dans la campagne et notre petite fille [REDACTED] qui a commencé à découvrir le monde. Dans les moments heureux en famille, Dov a toujours été là. Il a toujours été là dans les moments difficiles aussi.

Je veux vous parler un peu de notre fils

**Après sa sortie de l'hôpital,**

Le 7 octobre 2020, Dov a été arrêté. Il a dit au revoir à ses enfants comme s'il allait les revoir quelques heures plus tard. En fait, il était censé venir les chercher chez ma mère cet après-midi-là, mais il a été arrêté sur le chemin alors qu'ils l'attendaient. La prochaine fois que nos enfants ont entendu la voix de Dov, ce n'était que le 1er décembre 2020. Un appel de 15 minutes à 7h30, après 2 mois sans aucun contact. [REDACTED] ne verrait Dov que 4 mois après l'arrestation de Dov. [REDACTED] ne le verra qu'une seule fois pendant 8 mois d'incarcération. «Voir» dans ces quelques réunions signifiait à travers une fenêtre en plexiglas et un téléphone, aucun contact physique d'aucune sorte n'était permis, et avec un masque qui recouvrait une partie de son visage. [REDACTED] a pu discuter pendant quelques minutes avec Dov par téléphone dans les rares occasions où Dov était autorisé à passer un appel téléphonique, mais [REDACTED] n'était même pas assez âgée pour parler au téléphone. Et donc le contact se limitait principalement aux lettres manuscrites primitives envoyées par la poste. Et comme nos enfants n'ont pas l'âge de lire ou d'écrire, Dov, déterminé à garder le contact avec les enfants à tout prix, a commencé à leur dessiner des tableaux.... animaux, voitures, fleurs et soleils souriants. En dessinant des moments de joie, Dov a essayé d'aider les enfants à rester positifs de toutes les manières possibles.

Une autre chose incroyablement touchante que Dov a faite était un livre pour dormir avec le personnage Disney préféré de nos enfants - Mickey Mouse. Il a créé une histoire de bande dessinée avec des dessins de Mickey Mouse envoyés par papa pour aider les enfants à rester heureux. Mickey

joue avec eux, les emmène en voyage dans sa voiture, dîne ensemble et leur apprend à sourire même s'ils sont parfois tristes. Dov n'avait jamais été doué en tant qu'artiste auparavant, mais la prison a relevé des talents cachés, je suppose. Chaque soir, [REDACTED] disait « maman peux-tu me lire le livre d'Aba (papa) ? Il a envoyé Mickey jouer avec moi ! », me disant parfois qu'il rêve que quand il se réveillera, Dov sera peut-être de retour. Ce livre lui a donné un lien avec son père, et je suis si fier que Dov qui a pu aider [REDACTED] et [REDACTED] à faire face à leur tristesse.

Mais [REDACTED] a besoin de son père, et rien ne peut le remplacer. [REDACTED]

[REDACTED] Toutes les photos depuis lors montrent un autre [REDACTED]. L'étincelle a disparu et il est complètement éteint.

Pour [REDACTED], la situation était compliquée car elle est trop petite pour même parler au téléphone dans les rares occasions où Dov pouvait appeler. En fait, pendant les 8 mois que Dov était en prison, à l'exception d'une réunion, elle n'a eu littéralement aucun contact avec lui. [REDACTED]

La vérité est que la présence de Dov est également essentielle pour [REDACTED]. Les conditions de détention étaient comme une descente aux enfers pour moi. Je travaille comme enseignante dans une école professionnelle, j'ai aussi de nombreuses réunions en fin d'après-midi et en soirée et du travail à rapporter à la maison. Depuis le début de la pandémie, cela a été encore plus difficile car cela a fortement touché les élèves en difficulté scolaire comme sont beaucoup de mes élèves. Avec l'absence de Dov et avec [REDACTED] et [REDACTED] qui se réveillent tous les deux plusieurs fois par nuit, [REDACTED]

Depuis la libération de Dov en résidence surveillée à New York le 11 juin, nous avons enfin pu avoir quelques contacts avec lui, d'abord par le biais d'appels vidéo, mais ceux-ci sont loin d'être une alternative au contact réel, surtout pour les très jeunes enfants. Puis finalement après si longtemps, nous sommes venus en juillet à New York et pour la première fois en 9 mois, j'ai embrassé Dov, [REDACTED] a eu le « câlin d'ours » qu'il a toujours aimé et [REDACTED].

Nous étions si

heureux ensemble, mais la vérité est qu'il était difficile de profiter quand chaque moment joyeux est suivi de la peur rampante de ce qui se passera si Dov nous est à nouveau enlevé.


Nous avons dû repartir en Suisse, sinon je perdais mon travail, et maintenant les enfants appellent Dov 8 fois par jour, me demandant de faire un appel vidéo pour lui montrer tout ce qu'ils font. "Aba regarde comment je fais du vélo" dit [REDACTED], et [REDACTED] essaie de lui montrer comment elle saute sur le canapé. Ils s'assurent constamment qu'il est toujours là, lui demandent où il est, ce qu'il fait, inspectent les signes d'une nouvelle disparition. [REDACTED]  
[REDACTED]. J'ai tellement peur de ce qui se passera si Dov est à nouveau incarcéré avec un océan entre nous, et les enfants perdraient même cette assurance.

Enfin, je tiens à vous dire que malgré tout ce que nous avons vécu, je crois toujours fortement en Dov et en son caractère. Je suis très fier de la façon dont il a géré les difficultés pendant son incarcération et même lorsqu'il était dans l'horrible prison de Champ Dollon, il a quand même essayé d'aider les gens. Il écrivait souvent combien cela l'affectait profondément de voir toute la misère en prison, des détenus dont la vie a été très cruelle envers eux. Des gens sans soutien familial, qui n'ont rien à attendre en dehors de la prison. Il a écrit à quel point il se sentait chanceux d'avoir une famille et une vie vers lesquelles revenir, et à quel point il était désolé de causer toute cette douleur aux gens autour de lui. Il commandait de la nourriture à la cantine de la prison pour donner aux détenus qui n'avaient pas d'argent, il les aidait à rédiger des lettres, avec des conseils. Je sentais dans ses lettres qu'il se souciait vraiment d'eux et ressentait leur douleur. Je sais que sa réflexion et ses remords pour ses actions se sont tellement intensifiés après avoir vu de près la situation malheureuse de ces détenus.

Mon éducation m'a appris l'importance d'obéir à la loi et d'embrasser les valeurs comme paramètres fondamentaux de la vie en société. Je crois profondément à la rédemption et à la capacité d'apprendre de ses erreurs pour devenir une meilleure personne. Les remords sincères de Dov pour ses actions sont significatifs. Mes nombreuses conversations avec lui m'ont convaincu de sa volonté inébranlable de prendre ses responsabilités. Je suis sûr que Dov comprend ses erreurs et ne fera jamais rien pour mettre légèrement en danger ses proches. Je m'engage à fournir à Dov tout le soutien et l'amour dont il aura besoin pour reprendre sa vie en main et avoir une existence productive et épanouissante.

Veuillez agréer, honorable juge, mes respectueuses salutations.

Céline Engeli



**A-3**



July 10<sup>th</sup>, 2021

Yacov Malnik

[REDACTED], Rishon Le-Zion Israel

The Honorable Victor Marrero

United States District Court, Southern District of New York

Daniel Patrick Moynihan U.S. Courthouse

500 Pearl Street, New York, NY 10007

Dear Honorable Judge Marrero,

My name is Yakov Malnik and I am the father of Dov Malnik. I have never been a man of words, and even in the last year I have not shared my agony with the outside, however this letter is written sincerely from my pain and from all the sleepless nights I have experienced in the last year.

I will soon mark my 75<sup>th</sup> birth date, and I grew up in Kaunas, Lithuania into a Holocaust survivor family where my father and mother lost their families in the Dachau and Stutthof concentration camps. I grew up an only child, but really I did have half-siblings which I never met - both my parents were previously married with children, but during the holocaust my father lost his first wife and son and my mother lost her first husband and daughter. I do not even know their names, they refused to talk about it. As an only child it was not easy for me, but I learned the importance of respecting my parents and helping them and I always tried to pass this on to my children.

My parents and I immigrated to Israel in 1972 and there I met my wife Larisa, Dov's mother, and together we have been married for 45 years. When Dov, my eldest son, the light of my life, was born, we became happy and proud parents. The arrival of our two sons Ariel and Dani completed the family I always dreamt of having. My sons are my victory, the victory of my family. Even though our family's memory was nearly wiped completely from the face of the earth, we survived and built a family to be proud of. I still remember the eyes of my father, Dov's grandfather, filled with joy and pride when Dov was born, this is something that even for me, a second generation of Holocaust survivors, is difficult to understand. Dov was the victory of grandpa Ephraim and grandma Haya who lost everything but chose life, and won.

Dov's long imprisonment in a foreign country in harsh conditions, I still cannot digest this situation. We are a simple family, always had ordinary life, and never thought we would find ourselves in this position. I finished my bachelor's degree in electrical engineering at the University of Kaunas, and later immigrated to Israel. I went through basic training in the Israeli army and got an offer to work as a civilian employee in the Air Force as electronics engineer where I worked at the same military base for 32 years. Since coming to Israel, I have lived in Rishon Le-Zion, a suburb in central Israel, together with my beloved wife. We educated our children to values that are important to us, family values, respect, helping others perseverance and modesty. This is how we were also educated.

From his early childhood Dov showed us how special he is. A responsible and caring child. When he was young, Dov chose to do school work on our family's history and in the process learned about all the difficulties our family went through for many generations. He gave infinite respect to his grandparents. He was always attentive to their stories and all with a rare patience. When Dov's children were born he chose to honor his grandparents when he decided to give them a second name in memory of his grandparents who survived the holocaust.

Throughout his life Dov has achieved impressive achievements: in swimming, in school, at work and most importantly in building his family. Dov achieved everything with hard work. In his days as a swimmer, he would get up very early in the morning and swim endless laps for 2 hours. Nine practices a week starting at the age of thirteen. Three times a week he woke up at 5:15am. I got up with him and drove him to the pool, where I would wait until the end and drive him directly to school. From there I would continue to my work. After school every day we would make our way to the pool for another 3 hours of training. Day off was only on Saturday. My colleagues raised eyebrows that I "spend" my days as a driver (later Dov's two younger brothers became swimmers and I did the same with them) - but for me it was never a burden.

My beloved son Dov's determination to succeed also led him to impressive achievements in his studies. Despite the little time he had for school, he would give up his free time and in fact his life ranged from swimming to school. He never complained about the difficulty and always found the positive in every situation. When he got a scholarship to study in the United States, it was a dream come true for me, since I knew we could not effort this on our own.

Most of all, I am proud of how Dov built an amazing family with Celine and their two children - [REDACTED] and our beautiful baby [REDACTED]

[REDACTED]

I know from personal experience how strong can be a bond between a father and son that begins with a trauma. When I was 4.5 years old, exactly the age of [REDACTED] today, my father, a simple man who completed only 6 years of school and had to work since the age of twelve as a tinsmith, was sent to a Siberian political camp because of him being Jewish and his desire to go to Israel. I do not have many memories from this day, but I clearly remember me as a young boy looking as he was taken. I have not seen him until I turned 9 years old. My father never told us about those years that he was gone, years that I lived alone with my mother and we both suffered a lot from antisemitism. This left a mark on me and effected every step I later took in my life, and it is hard for me to describe the pain to a fragile soul of a young boy at this age. It sadness me to tears that my grandchildren are experiencing a painful separation themselves, and I know how much devastating it is for Dov to know that he has caused this on his young children.

Despite the circumstances, during this past year I was also very proud of Dov. Proud because I kept being reminded by so many people of what kind of person my son is. While Dov was in prison, we had many of his friends reaching out to us to see how they can help, and I heard stories

I didn't know about, I saw people close to him who I never knew of, and all of them painted a picture of the wonderful son I know I have, who despite what brought him in front of you, has done so much good to others.

We heard how he helped a friend to deal with a tragic loss of his father, how he helped to find a medical expert to treat a rare eye disease of a friend's daughter, how when the mother of a distant childhood friend needed help to finance treatment for a rare cancer Dov volunteered with no hesitation, despite the low odds. I never knew that he did so much, but I know who Dov is, and it did not surprise me.

I also remember an example when my cousin was [REDACTED]. We were told about a South Korean specialist surgeon but bringing him to Israel to perform this unique surgery demanded extremely high cost. Without being asked, Dov immediately said he will pay for the expenses. The surgery went through with incredible success. I will not exaggerate to say that without the Korean Surgeon my cousin would not be alive today.

Indeed, I am proud of him also for recognizing his mistake, owning up to it and dealing with it heads on, just like he handled adversity in his sporting career.

I have experienced quite a few health issues recently, but all the physical difficulties cannot compare in the slightest to the difficulty of seeing my eldest son locked in a foreign country for so long, with almost no visits and no real ability to communicate with his loved ones. I would wake up early every morning and started "talking" to Dov, really talking to myself, but that is all I could do since there was no way to speak to him. I would try to mimic our daily phone conversations from before his arrest, tell him about my day, and try to cheer him in my mind, to give him force. No, I did not go crazy, but I simply felt I have to speak to him, what else could I do? I never imagined that conditions like this exist, that I could not even hear his voice over the phone. I could never believe that in today's world a person cannot have his first call to phone his children for 2 months. How is this possible?? All I had left were letters that I got from Dov, and I could imagine his voice speaking to me through these letters, were he always tried to sound strong and said not to worry about him and only asked us to protect ourselves from COVID-19. These letters gave us strength and it is so typical for Dov to be the one giving strength instead of asking for it.

Honorable Judge, I love my son so much. I wish there was a way where I could take his place and be the one in front of you, so he can return to his small children and restart his life. I am trying my best to stay positive, to not sink into depression and hold strong like Dov asked me to. It's not easy. I beg you please to let our family to come out of this dark hole we are all in, to pick up the pieces and to let us rebuild our lives.

With deep respect,

Yacov Malnik



10 יולי 2021

יעקב מלניק

שלינגה 8 ראשון לציון, ישראל

The Honorable Victor Marrero

United States District Court, Southern District of New York

Daniel Patrick Moynihan U.S. Courthouse

500 Pearl Street, New York, NY 10007

לכבוד כבוד השופט ויקטור מוררו,

שמי יעקב מלניק ואני אבא של דב מלניק. מעולם לא הייתי איש של מילים, וגם בשנה האחרונה לא חלקתי את כאבי כלפי חוץ, אולם מכתב זה נכתב בכנות רבה מתוך הכאב שלי וממספר רב של הלילות ללא שינה שחוויתי בשנה האחרונה.

בקרוב אציין את יום הולדתי ה-75, וגדלתי בקובנה, ליטא, למשפחה ניצולת שואה שבה אבי ואמי איבדו את משפחותיהם במחנות הריכוז דכאו ושטוטנהוף. גדלתי כבן יחיד, אבל למעשה היו לי אחים למחצה שמעולם לא פגשתי - שני ההורים שלי היו נשואים בעבר עם ילדים, אבל בתקופת השואה אבי איבד את אשתו ובנו הראשונים ואמי איבדה את בעלה ובתה הראשונים. אני אפילו לא יודע את שמותיהם, הם סירבו לדבר על זה. בתור בן יחיד זה לא היה לי קל, אבל למדתי את החשיבות של כבוד להורי ולעזור להם ותמיד השתדלתי להעביר את זה לילדי.

אני והורי עלינו לארץ בשנת 1972 ושם פגשתי את אשתי לריסה, אמו של דב, ויחד אנחנו נשואים 45 שנה. כשדב, בני הבכור, האור של חיי, נולד, הפכנו להורים שמחים וגאים. הגעתם של שני בניו אריאל ודני השלימה את המשפחה שתמיד חלמתי שתהיה לי. הבנים שלי הם הניצחון שלי, הניצחון של המשפחה שלי. למרות שזיכרון המשפחה שלנו כמעט נמחק כליל מעל פני האדמה, שרדנו ובנינו משפחה להתגאות בה. אני עדיין זוכר את עיניו של אבי, סבא של דב, מלאות שמחה וגאווה כשדב נולד, זה משהו שגם עבורי, דור שני לניצולי שואה, קשה להבין. דב היה הניצחון של סבא אפרים וסבתא חיה שאיבדו הכל אבל בחרו בחיים, וניצחו.

מאסרו הארוך של דב במדינה זרה בתנאים קשים, אני עדיין לא יכול לעכל את המצב הזה. אנחנו משפחה פשוטה, תמיד היו לנו חיים רגילים, ומעולם לא חשבנו שנמצא את עצמנו במצב הזה. סימתי את התואר הראשון בהנדסת חשמל באוניברסיטת קובנה, ובהמשך עליתי ארצה. עברתי הכשרה בסיסית בצבא וקיבלתי הצעה לעבוד כאזרח עובד צה"ל בחיל האוויר כמהנדס אלקטרוניקה שם עבדתי באותו בסיס צבאי במשך 32 שנים. מאז שעליתי לארץ, אני גר בראשון לציון, פרבר במרכז הארץ, יחד עם אשתי האהובה. חינוכנו את ילדינו לערכים שחשובים לנו, ערכי משפחה, כבוד, עזרה לזולת התמדה וצניעות. כך גם חינוכו אותנו.

מילדותו המוקדמת דב הראה לנו כמה הוא מיוחד. ילד אחראי ואכפתי. כשהיה צעיר, דב בחר לעשות עבודה בבית הספר על ההיסטוריה של משפחתנו ובתוך כך למד על כל הקשיים שעברו על משפחתנו במשך דורות רבים. הוא נתן כבוד אינסופי לסבו וסבתו. הוא תמיד היה קשוב לסיפורים שלהם והכל בסבלנות נדירה. כשנולדו ילדיו של דב הוא בחר לכבד את סבו וסבתו כשהחליט לתת להם שם שני לזכר סבו וסבתו ששרדו את השואה.



במהלך חייו הגיע דב להישגים מרשימים: בשחייה, בלימודים, בעבודה ובעיקר בבניית משפחתו. דב השיג הכל בעבודה קשה. בימיו כשחיין, הוא היה קם מוקדם מאוד בבוקר ושוחה המון במשך שעות. תשעה אימונים בשבוע החל מגיל שלוש עשרה. שלוש פעמים בשבוע הוא התעורר ב-5:15 בבוקר. קמתי איתו והסעתי אותו לבריכה, שם הייתי מחכה עד הסוף ומסיע אותו ישירות לבית הספר. משם המשכתי לעבודה שלי. אחרי הלימודים כל יום היינו עושים את דרכנו לבריכה לעוד 3 שעות של אימון. יום החופש היה רק בשבת. הקולגות שלי הרימו גבה שאני "מבלה" את ימי כנהג (לימים שני האחים הצעירים של דב הפכו לשחיינים ואני עשיתי את אותו הדבר איתם) - אבל בשבילי זה אף פעם לא היה נטל.

הנחישות של בני האהוב דב להצליח הובילה אותו גם להישגים מרשימים בלימודיו. למרות הזמן המועט שהיה לו ללימודים, הוא היה מוותר על זמנו הפנוי ולמעשה חייו נעו משחייה לבית ספר. הוא מעולם לא התלונן על הקושי ותמיד מצא את החיובי בכל מצב. כשהוא קיבל מלגה ללימודים בארצות הברית, זה היה הגשמת חלום עבורי, כי ידעתי שלא נוכל לממן זאת לבד.

יותר מכל, אני גאה איך דב בנה משפחה מדהימה עם סלין ושני ילדיהם - [REDACTED] והתנוקות היפה שלנו

[REDACTED]  
[REDACTED] קשים [REDACTED]  
[REDACTED] החולים [REDACTED]  
[REDACTED]  
[REDACTED] מהיום [REDACTED]  
[REDACTED]

אני יודע מניסיון אישי עד כמה חזק יכול להיות קשר בין אב לבן שמתחיל בטרומה. כשהייתי בן 4.5, בדיוק בגילו של נתן היום, אבי, אדם פשוט שסיים רק 6 שנות לימוד ונאלץ לעבוד מגיל שנים עשרה כפחח, נשלח בגלל יהדותו ורצונו לעלות לישראל למחנה עבודה פוליטי בסיביר. אין לי הרבה זיכרונות מהיום הזה, אבל אני זוכר אותי בבירור כילד צעיר ביום שבו הוא שנלקח. לא ראיתי אותו עד שמלאו לי 9 שנים. אבא שלי מעולם לא סיפר לנו על השנים האלה שהוא איננו, שנים שגרתי לבד עם אמי ושנינו סבלנו הרבה מאנטישמיות. זה הותיר בי חותם והשפיע על כל צעד שעשיתי אחר כך בחיי, וקשה לי לתאר את הכאב לנפש שברירת של נער צעיר בגיל הזה. עצוב לי עד דמעות שהנכדים שלי חווים פרידה כואבת בעצמם, ואני יודע כמה זה הרסני לדב לדעת שהוא גרם זאת לילדיו הקטנים.

למרות הנסיבות, גם בשנה האחרונה הייתי מאוד גאה בדב. גאה כי כל כך הרבה אנשים הזכירו אותי כל הזמן באיזה סוג אדם הבן שלי. בזמן שדב היה בכלא, הרבה מחבריו הגיעו אלינו כדי לראות איך הם יכולים לעזור, ושמעתי סיפורים שלא הכרתי, ראיתי אנשים קרובים אליו שלא הכרתי, וכולם ציירו תמונה של הבן הנפלא שאני יודע שיש לי, שלמרות הנסיבות שהביאו אותו לפניך, עשה כל כך הרבה טוב לאחרים.

שמענו איך הוא עזר לחבר להתמודד עם אובדן טרגי של אביו, איך הוא עזר למצוא מומחה רפואי לטיפול במחלת עיניים נדירה של בת של חבר, איך כשאמא של חבר ילדות רחוק נזקקה לעזרה במימון טיפול לסרטן נדיר דב התנדב ללא היסוס, למרות הסיכויים הנמוכים. מעולם לא ידעתי שהוא עשה כל כך הרבה, אבל אני יודע מי זה דב, וזה לא הפתיע אותי.

אני גם זוכר דוגמה [REDACTED] סיפרו לנו על מנתח מומחה דרום קוריאני אך הבאתו לישראל לביצוע הניתוח הייחודי הזה דרש עלות גבוהה במיוחד. מבלי שהתבקש, דב אמר מיד שהוא ישלם את ההוצאות. הניתוח עבר בהצלחה מדהימה. אני לא אגזים אם אומר שללא המנתח הקוריאני בת דודתי לא היתה בחיים היום.

ואכן, אני גאה בו גם על שזיהה את הטעות שלו, עמד בה והתמודד איתה בראש ובראשונה, בדיוק כמו שהוא התמודד עם מצוקות בקריירה הספורטיבית שלו.

חוויתי לא מעט בעיות בריאותיות לאחרונה, אבל כל הקשיים הפיזיים לא יכולים להשתוות במעט לקושי לראות את הבן הבכור שלי כלוא במדינה זרה כל כך הרבה זמן, כמעט ללא ביקורים וללא יכולת אמיתית לתקשר עם יקיריו. הייתי מתעורר מוקדם כל בוקר והתחלתי "לדבר" עם דב, ממשי מדבר לעצמי, אבל זה כל מה שיכולתי לעשות כי לא הייתה דרך לדבר איתו. הייתי מנסה לחקות את שיחות הטלפון היומיות שלנו מלפני מעצרו, לספר לו על היום שלי, ולנסות לעודד אותו במוחי, לתת לו כוח. לא, לא השתגעתי, אבל פשוט הרגשתי שאני חייב לדבר איתו, מה עוד אני יכול לעשות? לא תיארתי לעצמי שתנאים כאלה קיימים, שאפילו לא יכולתי לשמוע את קולו בטלפון. לא יכולתי להאמין שבעולם של היום אדם לא יכול לקבל את השיחה הראשונה שלו לטלפן לילדיו במשך חודשיים. איך זה אפשרי?? כל מה שנתר לי זה מכתבים שקיבלתי מדב, ויכולתי לדמיין את קולו מדבר אלי דרך המכתבים האלה, אם הוא תמיד ניסה להישמע חזק ואמר לא לדאוג לו ורק ביקש מאיתנו להגן על עצמנו מפני COVID-19. המכתבים האלה נתנו לנו כוח וכל כך אופייני לדב להיות זה שנותן כוח במקום לבקש אותו.

כבוד השופט, אני כל כך אוהב את הבן שלי. הלוואי והייתה דרך שבה אוכל לתפוס את מקומו ולהיות זה שמוחך, כדי שהוא יוכל לחזור לילדיו הקטנים ולהתחיל מחדש את חייו. אני מנסה בכל כוחי להישאר חיובי, לא לשקוע בדיכאון ולהחזיק חזק כמו שדב ביקש ממני. זה לא קל. אני מבקש ממך בבקשה לתת למשפחה שלנו לצאת מהחור האפל הזה שנפלנו אליו, לאסוף את השברים ולתת לנו לבנות את חיינו מחדש.

בכבוד עמוק,



יעקב מלניק

**A-4**

Larisa Malnik

  
Rishon Le Zion, Israel

**The Honorable Victor Marrero**

**United States District Court, Southern District of New York**

**Daniel Patrick Moynihan U.S. Courthouse**

**500 Pearl Street, New York, NY 10007**

July 8<sup>th</sup>, 2021

Dear Judge Marrero,

My name is Larisa Malnik and I know Dov Malnik from the moment he came to this world as I am his mother. It is with a heavy heart of a loving mother that I write to you today, pleading for your compassion when making your decision about my son.

Every child is an integral part of his mother, at any age, he is always her little kid. For me, everything that happens to Dov, I feel as if it happens to me. Despite the hardships I went through in my life, the last year and a half were the hardest period I've ever had. It started with my husband's cancer diagnosis and the beginning of the global pandemic and became a nightmare with my eldest son's incarceration for so many months.

Now, in the eighth decade of my life, when I finally reached the age that I began to let my mind be at peace, when I wanted to enjoy the small things of life, to be a grandmother to my three young grandchildren, it is now that I spend my days and nights with endless worry about my son and his family.

My son has made a mistake that will forever change his life and our family's life. He has already paid an incredibly heavy price for it. He is ashamed of it because this is not who he really is. Dov has earned every important achievement in his life by working hard and staying positive. He is kind and caring for others. He is an amazing father to my two grandchildren. Dov is the son that any mother would be proud to have, as I am so proud that he is my son.

I would like to tell you a bit about my upbringing. I was born and raised in Kiev, the capital of Ukraine, the former USSR. My family - my parents, my older sister and I, lived in a basement studio apartment, with no kitchen and no running water. Since my parents were working all day, sister and I grew up trying to take care of each other since young age. I used to look at other kids who had older brothers in envy and I always dreamed of having a big brother who would protect me. I actually had an older brother - a cute 7 year old boy, whose picture was hanging on the wall. During World War II my parents were forced by the communist regime to Siberia with their little boy, who fell ill and due to lack of food and medication died there at the age of 7. My mother, Fania, never really recovered from this heartbreak.



In 1974 I immigrated to Israel with my mother and sister. My father had died several years earlier from cancer and had not fulfilled his dream of coming to Israel. When I got married and my eldest son was born, I named him after my father, Dov. I was happy. I knew I would want more children and I was glad they will have a big brother, like I always dreamed to have. And indeed, when I had my two younger sons Ariel and Dani, Dov played the role of an older brother better than I ever imagined. Ariel and Dani adored Dov and he in return guided them through the obstacles they faced in life.

My husband and I worked long hours so we could support our children and Dov was left in charge of his two younger brothers at a very young age. I trusted him to take his brothers back from school, warm up their lunch which I left ahead of time, and take care of them. He really helped them in everything, big and small and allowed us to be able to work full time as it was not easy for immigrants during those years, and we could not afford any outside help. In fact, Dov was very mature and responsible, which really helped his father and I build our careers and provide for our family.

My son has a very gentle heart and it showed from a very young age. As a child, the teachers always told me how Dov would share his lunch with other kids, and like to stand up for help especially to the weaker kids in school. Still today Dov is very sensitive to people in need and will never say no to help someone - it is really in his nature.

Family is everything for Dov and I want to share an example to reflects his dedication. During his teen years, Dov was an accomplished swimmer, one of the best in the world at that time. He was invited to join and train at the National Institute of Sports, a boarding school where swimmers get the best coaches, Olympic facilities, a nutritionist, fitness trainers and everything it takes to get to the Olympics. Dov, as a 13-year-old boy, decided to give up on the very tempting offer, even though we encouraged him to join the boarding school because we knew how much he wanted to succeed. He did so because he did not want to leave us, he knew how much we needed him at home with taking care of his brothers. It is not obvious that a 13-year-old would give up such a dream offer and think first about his parents and brothers. We in return gave everything we could for Dov (and his brothers) to succeed in swimming, and to our delight Dov achieved wonderful results, represented the country in world championships and later received a scholarship to a University in the U.S.

Another testimony of Dov's character is reflected by the fact that as an Israeli, he served 3 years in the Israeli Defense Forces and managed to combine this successfully with his swimming career. There were athletes who served a reduced military service in order to focus on sports, but not Dov. He never refused his obligations and in fact was very proud to serve in the military and was even recommended by his superiors for an officers' program - an honor that not many received.

It's hard to imagine this about Dov, with him being this top athlete, but he really has a soul of an artist. He was a very gifted pianist as a child and even won a few national youth music competitions. Dov inherited his love for the piano from my mother, his

grandmother, who was an extraordinary musical talent that played right to her last days. Dov would visit her at every opportunity and ask her to play for him. One day, years after she passed away, on her annual memorial date, Dov came to me and said – "I have something to show you". It turned out that he used to visit his grandmother alone during her last years, without our knowledge, and he recorded her playing the piano and telling stories about herself. Dov managed to transfer the old type recordings into a CD and played it for us for the first time. I was in tears hearing my mother's voice, listening to her playing, and was so moved to know that Dov was there with her, allowing her to leave us a memory of what she loved the most. Many years later, Dov's daughter, [REDACTED], was born and got a middle name - Fania - after his grandmother.

Dov sensitivity also showed by his relationship with his grandfather Ephraim, my husband's father, for which Dov named his son's middle name after. They used to go on bicycle rides and liked to walk in the fields next to our house for hours. When Ephraim passed away, Dov was 18 years old. A week after the funeral, we came to the cemetery to order a tombstone. The man working there asked us what to do with the letter. Which letter? It turned out that beneath all the flowers, he found a paper he was going to throw away, but when he read it he realized it was a handwritten letter from a grandson named Dov to Grandpa, a very moving farewell letter. We asked him to put it in the grave, and I was reminded once again how sensitive and respectful my son is.

Dov has always served and continues to serve as an example to his young brothers but sometimes, I realize, also for me. I will tell you about a specific memory. For 35 years I worked in the Israeli Department of Defense as an engineer. Over the years I have been sent to many seminars and evaluations and in one of them we were asked by a psychologist to answer a question: "Who do you think of when you are proud of your achievements, when you look for feedback and look for advice?" Most of the participants thought of their parents and only I thought of my son, Dov. It was not just that I was proud of him, but more so that I really looked up to him.

The last year was so difficult for our family, and for me it became almost unbearable with the arrest of my beloved son. For over 8 months Dov was in prison in extremely tough conditions, and we had practically no contact with him. I was worried sick for him, knowing his cellmate was a convicted murderer, and that Dov had to hide his Israeli identity in the yard to avoid dangerous situations. We would just sit at home for days waiting for a message from his lawyer praying that Dov is ok. My husband who was recovering from a [REDACTED] had difficulties coping with the situation and would skip treatments and consultations because of his sadness. We tried to stay strong but with COVID-19 spreading rapidly and my husband being at a high-risk group, we had to stay home for months, just sitting and worrying for Dov.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

Nevertheless, with all the hardship our family experienced, I believe that life is stronger than anything and that some of the damage could be repaired. All we wish is to have Dov back in our lives. I see him how he is full of remorse, tries to apologize to everyone around him. I know he is just looking for a chance to start over, and I promise you that we will support him in getting back to his life and in his quest to redeem himself.

It is with deep respect that I thank you for your time and consideration,

Larisa Malnik

A handwritten signature in cursive script, appearing to read 'Larisa', with a long, sweeping horizontal flourish extending to the right.

לריסה מלניק

רחוב שלינקה 8

ראשון לציון, ישראל

**The Honorable Victor Marrero**

**United States District Court, Southern District of New York**

**Daniel Patrick Moynihan U.S. Courthouse**

**500 Pearl Street, New York, NY 10007**

8 ליוני 2021

כבוד השופט ויקטור מוררו,

שמי לריסה מלניק ואני מכירה את דב מלניק מהרגע שהגיע לעולם הזה כיוון שאני אמא שלו. בלב כבד של אם אוהבת אני כותב לך היום, מתחננת לחמלה בעת קבלת החלטתך לגבי בני.

כל ילד הוא חלק בלתי נפרד מאמו, בכל גיל, הוא תמיד הילד הקטן שלה. מבחינתי, כל מה שקורה לדב, אני מרגיש כאילו זה קורה לי. למרות כל הקשיים שעברתי בחיי, השנה וחצי האחרונות היו התקופה הקשה ביותר שעברתי. זה התחיל עם אבחון הסרטן של בעלי ותחילת המגיפה העולמית והפך לסיוט עם הכליאה של בני הבכור במשך כל כך הרבה חודשים.

עכשיו, בעשור השמיני לחיי, כשהגעתי סוף סוף לגיל שהתחלתי לתת לנפשי להיות רגועה, כשרציתי ליהנות מהדברים הקטנים של החיים, להיות סבתא לשלושת נכדיי הצעירים, דוקא עכשיו, אני מבלה את הימים והלילות שלי בדאגה אינסופית לגבי בני ומשפחתי.

הבן שלי עשה טעות שתשנה לנצח את חיי ואת חיי המשפחה שלנו. הוא כבר שילם על זה מחיר כבד מאוד. הוא מתבייש בזה כי זה לא מי שהוא באמת שלו. דב זכה בכל הישג חשוב בחייו על ידי עבודה קשה וגישה חיובית. הוא אדיב ודואג לאחרים. הוא אבא מדהים לשני הנכדים שלי. דב הוא הבן שכל אמא תהיה גאה לקבל כמו שאני כל כך גאה שהוא הבן שלי.

אני רוצה לספר לך קצת על איך גדלתי. נולדתי וגדלתי בקי"ב, בירת אוקראינה, ברית המועצות לשעבר. המשפחה שלי - ההורים שלי, אחותי הגדולה ואני, גרנו בדירת סטודיו במרתף, ללא מטבח וללא מים זורמים. מאחר והורי עבדו כל היום, אחותי ואני גדלנו בניסיון לדאוג אחד לשני מגיל צעיר. נהגתי להסתכל על ילדים אחרים שיש להם אחים גדולים יותר בקנאה ותמיד חלמתי שיהיה לי אח גדול שיגן עליי. בעצם היה לי אח גדול - ילד חמוד בן 7, שתמונתו הייתה תלויה על הקיר. במהלך מלחמת העולם השנייה הוריי נשלחו על ידי המשטר הקומוניסטי לסיביר עם בנם הקטן, שחלה ומחוסר מזון ותרופות מת שם בגיל 7. אמי, פניה, מעולם לא באמת התאוששה משברון הלב הזה.

בשנת 1974 עליתי לארץ עם אמי ואחותי. אבי נפטר מספר שנים קודם לכן מסרטן ולא הגשים את חלומו להגיע לישראל. כשהתחתנתי ונולד בני הבכור קראתי לו על שם אבי, דב. הייתי שמחה. ידעתי שארצה עוד ילדים ושמחתי שיהיה להם אח גדול, כמו שתמיד חלמתי שיהיה לי. ואכן, כאשר נולדו לי שני בני הצעירים יותר אריאל ודני, דב מילא את תפקיד של אח גדול יותר ממה שאי פעם דמינתי. אריאל ודני העריצו את דב והוא בתמורה הدير אותם במכשולים שהם התמודדו איתם בחיים.



בעלי ואני עבדנו שעות רבות כדי שנוכל לפרנס את ילדינו ודב נותר אחראי על שני אחיו הצעירים בגיל צעיר מאוד. סמכתי עליו שיחזיר את האחים שלו מבית הספר, יחמם להם את ארוחת הצהריים שהשארתי מבעוד מועד, וידאג להם. הוא באמת עזר להם בכל דבר, גדול כקטן, ואפשר לנו לעבוד במשרה מלאה שכן לא היה קל לעולים בשנים הללו, ולא יכולנו להרשות לעצמנו עזרה מבחוץ. למעשה, דב היה מאוד בוגר ואחראי, מה שמאוד עזר לאביו ולי לבנות את הקריירה שלנו ולפרנס את המשפחה שלנו.

לבן שלי יש לב מאוד עדין וזה ניכר מגיל צעיר מאוד. כילד, המורים תמיד סיפרו לי איך דב היה חולק את ארוחת הצהריים שלו עם ילדים אחרים, ועוזר במיוחד לילדים החלשים בבית הספר. גם היום דב מאוד רגיש לאנשים במצוקה ולעולם לא יגיד לא למישהו המבקש עזרה כלשהי - זה באמת בטבע שלו.

משפחה היא הכל עבור דב ואני רוצה לשתף דוגמה שתשקף את מסירותו. בשנות העשרה שלו, דב היה שחיין מוכשר, מהטובים בעולם באותה תקופה. הוא הוזמן להצטרף ולהתאמן במכון הלאומי לספורט, פנימייה שבה השחיינים מקבלים את המאמנים הטובים ביותר, מתקנים אולימפיים, תזונה, מאמני כושר וכל מה שצריך כדי להגיע לאולימפיאדה. דב, כילד בן 13, החליט לוותר על ההצעה המאוד מפתה, למרות שעודדנו אותו להצטרף לפנימייה כי ידענו כמה הוא רוצה להצליח. הוא עשה זאת כי הוא לא רצה לעזוב אותנו, הוא ידע כמה אנחנו צריכים אותו בבית עם הטיפול באחים שלו. לא מובן מאליו שילד בן 13 יוותר על הצעת חלומות כזו ויחשוב קודם כל על הוריו ואחיו. אנחנו בתמורה נתנו כל מה שיכולנו כדי שדב (ואחיו) יצליחו בשחייה, ולשמחתנו דב הגיע להישגים נפלאים, ייצג את המדינה באליפויות עולם ובהמשך קיבל מלגה לאוניברסיטה בארה"ב.

עדות נוספת לדמותו של דב באה לידי ביטוי בעובדה שכישראלי הוא שירת 3 שנים בצבא הישראלי והצליח לשלב זאת בהצלחה עם קריירת השחייה שלו. היו ספורטאים ששירתו שירות צבאי מקוצר כדי להתמקד בספורט, אבל לא דב. הוא תמיד עמד בהתחייבותו ולמעשה היה גאה מאוד לשרת בצבא ואף הומלץ על ידי מפקדיו לקורס קצינים - כבוד שלא רבים זכו לו.

קשה לדמיין את זה על דב, הספורטאי המחונן, אבל יש לו באמת נשמה של אמן. הוא היה פסנתרן מוכשר מאוד בילדותו ואף זכה בכמה תחרויות מוזיקה לאומיות לנוער. את אהבתו לפסנתר ירש דב מאמי, סבתא שלו, שהייתה כישרון מוזיקלי יוצא דופן שניגנה עד ימיה האחרונים. דב היה מבקר אותה בכל הזדמנות ומבקש ממנה שתנגן עבורו. יום אחד, שנים אחרי שנפטרה, ביום האזכרה השנתי שלה, בא אלי דב ואמר - "יש לי משהו להראות לך". התברר שהוא נהג לבקר את סבתו לבד בשנותיה האחרונות, ללא ידיעתנו, והוא הקליט אותה מנגנת בפסנתר ומספרת על עצמה. דב הצליח להעביר את ההקלטות שהיו בקלטות ישנות שכבר לא בשימוש היום לתקליטור והשמיע לנו את זה בפעם הראשונה. הייתי בדמעות כששמעתי את קולה של אמי, הקשבת לי לנגינה שלה, וכל כך התרגשתי לדעת שדב היה שם איתה, ואפשר לה להשאיר לנו זיכרון של מה שהיא הכי אהבה. שנים רבות לאחר מכן נולדה בתו של דב, נועה, וקיבלה שם אמצעי - פניה - על שם סבתו.

את האופי הרגיש של דב ניתן לראות גם ביחסיו עם סבו אפרים, אביו של בעלי, שעל שמו קרא דב לשמו האמצעי של בנו. הם נהגו לצאת לטיולי אופניים ואהבו לטייל בשדות שליד הבית שלנו במשך שעות. כשאפרים נפטר, דב היה בן 18. שבוע לאחר ההלוויה הגענו לבית העלמין להזמין מצבה. האיש שעבד שם שאל אותנו מה לעשות עם המכתב. איזה מכתב? התברר שמתחת לכל הפרחים, הוא מצא נייר שהוא עומד לזרוק, אבל כשקרא אותו הבין שזה מכתב בכתב יד של נכד בשם דב לסבא, מכתב פרידה מרגש מאוד. ביקשנו ממנו לשים את זה בקבר. זה שזו הזכיר לי כמה הבן שלי רגיש ומכבד.

דב תמיד שימש וממשיך לשמש דוגמה לאחיו הצעירים אבל לפעמים, כך הבנתי, גם בשבילי. אני אספר לך על זיכרון ספציפי. במשך 35 שנה עבדתי במשרד הביטחון הישראלי כמהנדסת. במהלך השנים נשלחתי לסמינרים והערכות מספר רב של פעמים ובאחת מהן התבקשנו על ידי פסיכולוג

לענות על שאלה: "על מי אתה חושב כשאתה גאה בהישגיך, כשאתה מחפש משוב ומחפש עצה?"  
רוב המשתתפים חשבו על הוריהם ורק אני חשבתי על בני, דב. לא רק שהייתי גאה בו, אלא יתרה  
מכך, באמת הערצתי אותו.

השנה האחרונה הייתה כל כך קשה עבור המשפחה שלנו, ומבחינתי היא הפכה כמעט בלתי נסבלת  
עם מעצרו של בני האהוב. למעלה מ-8 חודשים ישב דב בכלא בתנאים קשים ביותר, ולא היה לנו  
כמעט שום קשר איתו. דאגתי כל כך כי ידעתי שהחבר שלו לתא הוא רוצח מורשע, ושדב נאלץ  
להסתיר את זהותו הישראלית בחצר כדי להימנע ממצבים מסוכנים. היינו יושבים בבית ימים שלמים  
ומחכים להודעה מעורך הדין שלו ומתפללים שדב בסדר. בעלי שהחל [REDACTED] התקשה  
להתמודד עם המצב ודחה או ויתר לעיתים טיפולים והתייעצויות בגלל עצבותו. ניסינו להישאר חזקים  
אבל כשה-COVID-19 התפשט במהירות וכיוון שבעלי נמצא בקבוצת סיכון גבוה, נאלצנו להישאר  
בבית במשך חודשים, פשוט ישבנו ודאגנו לדב.

[REDACTED]

אף על פי כן, עם כל הקושי שחוותה המשפחה שלנו, אני מאמינה שהחיים חזקים מהכל ושאפשר  
לתקן חלק מהנזק. כל מה שאנחנו רוצים זה להשיב את דב לחינו. אני רואה כיצד הוא מלא חרטה,  
ומנסה לבקש סליחה מכל הסובבים אותו. אני יודעת שהוא רק מחפש הזדמנות להתחיל מחדש, ואני  
מבטיחה לך שנתמך בו על מנת שיוכל לחזור לחייו ולתקן את עצמו.

בכבוד עמוק אני מודה לך על הזמן וההתחשבות,

לריסה מלניק



**A-5**

Daniel Malnik  
[REDACTED]  
New York, NY 10003

**The Honorable Victor Marrero  
United States District Court, Southern District of New York,  
Daniel Patrick Moynihan US Courthouse  
500 Pearl Street, New York, NY**

July 2<sup>nd</sup>, 2021

Your Honor,

This past year I handwrote many letters as that was the only way for me to communicate with my oldest brother, Dov, while he was incarcerated in Switzerland. This specific letter, however, carries a special purpose to me. By writing this letter, I aspire to help you understand how significant Dov is, not only to my family and me, but to many others who are proud to call him a friend.

Dov has been my role model throughout my entire life. I have always looked up to him. Ever since my adolescent years, I wanted to be like him. This holds true today as well, despite everything he is going through. While I understand that this statement may appear biased, as I am his youngest brother, I can assure you it would be very challenging to find another person who has had such a positive impact on countless individuals as Dov has (and will again, once we have closed this incredibly difficult chapter of life). It is truly difficult to convey this in a letter, but I hope these words will provide you a glimpse of what he means to me and how much weight he carries in shaping the man, and brother, I am today.

My brothers and I were born to incredibly devoted parents who moved to Israel in their 20s from the former USSR after experiencing anti-Semitism in their respective home countries of Ukraine and Lithuania. We were raised in Rishon Le-Zion, a suburb outside of Tel-Aviv, and despite growing up in a modest environment, our parents constantly sacrificed their own needs to make sure we had everything we needed to excel and succeed in life. For years, my parents drove us every day to and from swimming practice, sometimes as early as 5am. They consistently attended Dov's piano classes, one of his many talents, and coached us through our homework to ensure we all excelled in school. My parents raised us three boys without any outside assistance, despite working full-time jobs and enjoying their marriage to one another (they have now been married for 45 years).

While growing up, my brothers and I used to share a single room since we lived in a small apartment with my parents. While there was plenty of things to protest, my parents never complained about anything and neither did Dov. In fact, I remember we quickly fell in love with sharing our room, largely because of Dov and his creativity, humor, and general positive spin on life. We had so much fun growing up together, whether it was playing basketball in our living



room with a mini-basketball or singing to MTV music videos, Dov always made sure Ariel (my middle brother) and I had smiles on our faces.

Dov led by example from a very young age. I remember him making us lunch after school when my parents were still at work. He was not the best cook, but his awareness and effort at such a young age spoke volumes and counted for so much more than his ability to cook. He also helped us with our schoolwork and kept us “in-check” when needed. He was mature and wise beyond his years, the ideal older brother.

Dov was a phenomenal swimmer and had an amazing career that only few Israeli swimmers were able to match. He was the primary reason both Ariel and I even began swimming in the first place. He was the main reason I was able to achieve such great accomplishments in my own swimming career. Despite a seven-year age gap, Dov’s swimming career and mine were incredibly similar and it is not by coincidence - I wanted to be like Dov. We both specialized in Breaststroke. We both started our swimming careers at our local club and later went on to represent the leading swimming club in Israel. We both spent four years swimming for Big-Ten schools in the United States and ended up part of championship teams and national record holders in the same stroke. Dov inspired me to achieve all these incredibly difficult feats.

There was a specific moment in our swimming careers that tells the story about our connection, but more so explains who Dov is.

In the summer of 2002, during the Israeli national championships, Dov and I competed against one another in the 100-Meter Breaststroke finals. I was an up-and-coming seventeen-year-old who had never broken an age group record. It was something I always dreamed of achieving. Growing up, I saw Dov break over a hundred age group records during his incredible career. One of his records was the 100-meter Breaststroke for seventeen-year-olds. A record that constantly challenged me during that entire year. Dov knew how much I wanted to have a record to my name, but at the same time we were competing against each other. I remember vividly the minutes before the race. We were both sitting in the ready-room alongside six other competitors who all wanted to win the national champion title. Moments before the race Dov approached me, massaged my shoulders, and gave me advice on how to swim the second half of the race. Instead of focusing on his race preparation, he chose to focus on helping me beat the record. His record.

I ended up having the swim of my life and managed to break my first ever age group record that day. Dov ended up having a relatively poor swim. But the real story for me was right after I touched the wall, a few tenths of a second behind Dov. I heard Dov scream my name from across the lane-lines with a huge smile on his face. Despite him having a disappointing swim performance, his first instinct was to be happy for me. My father videotaped this race, as he used to do with many of our important swim races. I remember rewinding the video over and over just to see Dov's reaction when he looked at the scoreboard. He looked at my time first before he looked at his own. This may seem normal or insignificant, but to me, as the younger brother who idolized Dov, it meant the world. To have the person I look up to caring more about my success than his own was a lifelong gift. Dov acted this way not just with me, but also with many of his teammates who were also his friends. He was chosen to be the captain of the University of Minnesota swim team for a reason.

Dov demonstrated this type of behavior outside the pool as well. When I first started considering attending a college abroad in the U.S., I consulted Dov on the process of attending a college overseas. I really thought I would struggle tremendously abroad, especially given my poor English at the time, until Dov helped me apply for schools and got me comfortable with the process. Dov's first-hand experience from having gone through this transition abroad himself gave me the confidence to believe that I can have the same success. I never dreamed of being able to attend and represent such a great school like Ohio State University and it was only possible because of Dov.

I graduated with honors and was able to secure a finance job in New York City. Not surprisingly, it was in the same field Dov specialized in. I remember working incredibly long hours my first couple of years and at times I felt like giving up. I used to call and consult Dov on a daily basis. He convinced me that if I continued to work hard, I will be able to achieve something special. He pushed me to have a no-excuses attitude and today I am very proud of what I have been able to achieve during my relatively short professional career. I assure you that without Dov's counseling I would not be where I am today.

Your Honor, your sentence will have a tremendous impact on my entire family. My mother and father are 72 and 74 years old, respectively. We have a very small and close-knit family. My parents' health, and specifically my fathers' health, has gradually declined since we found out about the charges against Dov. My father has always admired Dov and that will never change. It is impossible to have a conversation with him without him mentioning Dov's name. Since January 2020 my father has been battling [REDACTED] [REDACTED] The emotional pain and the non-stop stress he experienced worrying about Dov has greatly affected his health. The fact is, your Honor, my entire family has experienced the same emotional pain and stress since Dov's arrest. The void of not having my mentor, my role model, my brother around has been too much to bear at times.

Despite all the hardship Dov experienced in prison, he managed to keep my parents calm in his letters and ensured them that things will be alright. They were concerned about his health, his well-being, and his spirits. From his many letters to me, I know how hard this extended period was for him, but when it came to my parents, he always tried to convey a positive twist to this nightmare just so they won't worry. He was concerned about their health and constantly asked me about my parents' health in his letters and asked to focus my attention on them instead of on him. I would like to share a portion of a letter Dov wrote to me on March 18th, 2021, after almost six months of incarceration. I sent him a letter a week earlier and poured into the letter how hard these times have been on all of us and how challenging it is not being able to communicate with him directly. Dov wrote back to me the following:

*"You have to stay strong mentally, take the fact that there's still some sort of communication, no complete disconnect, as something positive, and to remind ourselves all the time that this situation is temporary. That it's been quite some time now, but that the day will come where this will be resolved and with all the difficulties and this trauma we've gone through, we will have it in our past but we won't let it ruin us, and will do beautiful things in life together. And like this, we will take these letters in the right proportion, as something that helps us stay in touch and not*

*disconnect, strengthen one another, “enjoy each other’s company” until this situation gets resolved...don’t agonize yourself and please try to take my situation at the right proportion as possible. I miss you so much and dying for this situation to be behind so we can live life like we used to. It will come! Love so much, Dov”*

This is Dov in a nutshell. Despite going through his biggest challenge in life, sleeping with two layers of socks and clothes due to the freezing conditions in his cell, spending 23 hours a day in a tiny prison room, not having any real contact with anyone, he focused on lifting others and staying positive. He somehow managed to take things in proportion and talk about doing “beautiful things in life together” all while going through hell himself.

Dov is the heart and soul of the Malnik family. I wish I could meet with you in person and tell you about what kind of human being Dov is and how remorseful he is. I understand Dov made a mistake which doesn’t reflect who he is, but he has learned from it and he is a good man who helped so many people throughout his life. I am begging and pleaded to you, your Honor, please allow my family to start the healing process we so desperately need. Dov, his wife, his children, my parents, my brother, and I have suffered so much, and we respectfully ask for your mercy.

Sincerely,  
*Daniel Malnik*

Daniel Malnik

**A-6**

July 6, 2021

Ariel Malnik

[REDACTED], Tel-Aviv Israel

The Honorable Victor Marrero  
United States District Judge, Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, New York, NY 10007-1312

Dear Judge Marrero,

My name is Ariel Malnik, I am 40 years old, and I am the younger brother of Dov. I would like to submit this letter prior to Dov's sentencing and share some of my most sincere thoughts and I very much appreciate to be heard by this court.

When I sat to write this letter, I was not sure how to start. Eventually I decided simply to write from my heart, without filter, as I believe this is the best way to reflect my feelings about my brother's true personality. I know Dov, to state the obvious, through all his and my life. 40 years. I can write endlessly about Dov the brother, the son, the friend, the All-American swimmer, the gifted pianist. The husband. The father. The countless times he helped me in my life, how he brought me on my feet when I was exceptionally low. However, I am positive you will get many letters from people describing all of this. And I am sure that I will also learn new things about my brother that will make me proud of him. But I want to focus on our family, what Dov is for us and what our lives has been like since October 2020.

We did not grow up in a privileged family. Our parents, second generation to holocaust survivors immigrated to Israel with their parents in the 70's with two suitcases each. Starting from nothing, they began a lifelong career in the public sector as engineers and built a beautiful middle class family. Although they did not have much, as kids we never felt it, they spared nothing from us and spared a lot from themselves. Both our parents grew up in small families. The holocaust took a great toll, but our grandparents chose to continue to live and to focus on the future and not the past. It is not a subject that we discussed growing up, in fact it always felt that it was too painful to dig into, but our history is what makes us who we are, and my family's history is one that led us to put family values second to none. We are one small unit, we are there for each other and we hurt for each other.

My brother was always a very driven person, as you would expect from a top athlete, in all areas of life, not just sport. But since he became a father, you could tell immediately that his main focus in life was his son, and later his daughter. Everything else came a far second. And it was not easy in the beginning for him, and I want to share a story that is still crystal clear in my mind.

It was December 2016, I was sitting on the sofa with my yet-to-be wife, when Dov called and with a shuttered, very quiet voice, told me that Celine is in the hospital about to give birth to their first son. I was shocked, [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

When the baby was born, Dov and Celine named him [REDACTED], which means "Giving" in Hebrew. It is such an appropriate name and symbolize what Dov and Celine believe in. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] He is now my cute, sensitive 4.5 years old nephew. I can see now how this event changed Dov's life dramatically, and I admire him for the amazing father he is.

Dov's sudden disappearance [REDACTED]. I flew to Geneva to try and help Celine and the kids and I had to be strong for them. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

When I think about it now, when I speak with others, it is almost unimaginable the difficult conditions Dov had to endure when he was locked in a cell in Switzerland. If you are not a holder of a Swiss passport, like Dov, you are placed in a maximum-security prison, locked in a cell for 23 hours a day among the most violent criminals in Switzerland. He barely had any interactions with the outside and the extremely tough condition worsened dramatically during COVID-19. Dov barely had any contact with his wife and kids, and as for the others like myself or our parents, the communication was left mainly to letters by post. Knowing my parents, I realize



the amount of pain they were in, not being able to maintain contact with their oldest son, not knowing how he is, not hearing his voice for months. As a father myself I understand that completely. My father who was undergoing treatments following a surgery to remove a

Your Honor, the last 18 months were difficult for everyone, the pandemic took tremendous number of lives, and tens of millions lost their sanity. This brings one to think about what really matters, how you live your life. In the letters Dov sent us from prison he constantly mentioned how much he is sorry and would not stop apologizing to us. He regrets so much his actions, but sadly he can't change the past and will have to bear this feeling for the rest of his life.

I can't imagine what it was like for him there in Champ-Dollon, How can someone be in a cell all day so long without contact with the outside. However, Dov did not lose his humanity and care for others and for that I am so proud of him. One example jumps to me- approximately 6 months into his imprisonment, Dov received a new cellmate, Mario, in his 50's, in and out of jails for petty crimes, no family, obese, [REDACTED], someone who's life did not spare on, locked for only 2 months for theft. Mario had a [REDACTED] so loud that Dov could not sleep for nights until Mario was finally released - I learned this from the letters I got. It was only 2 weeks later, randomly speaking to Dov's Swiss attorney, that I learned that before Mario's release Dov had transferred his prison monetary balance to Mario so that when he is released, he will have something in his pocket to allow him to eat, as literally he has nothing in the world. This brought both me and the attorney to tears.

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] By the time of the sentencing, Dov will spend roughly 1 year and 1 month with his liberty taken away from him, in a foreign country. Half of [REDACTED] life, a quarter of [REDACTED] life and 13 months that probably feels like eternity for Celine.

We are anxiously waiting for your decision with great hope.

With utmost respect,

Ariel Malnik



**A-7**



July 21, 2021

Geneva, Switzerland

The Honorable Victor Marrero  
United States District Court, Southern District of New York,  
500 Pearl Street, New York, NY

Dear Judge Marrero,

Thank you, your honor, for your attention and consideration.

Dov is one of those rare people who leave a strong positive mark wherever they go, at times, a legacy. I feel privileged to count myself among his closest friends and hope to add some more color on who Dov really is, albeit the circumstances.

My name is Ron Rabinowitz, married with 3 children, and President of OpenLegacy, a growth-stage startup in the enterprise software space. Prior to that, I have been working for P&G for 15 years in various management roles.

My career at P&G brought me from Israel to one of its global headquarters in Geneva, Switzerland, where I met Dov 13 years ago. We have become close friends and have shared many life experiences together and along with our families.

There are three things I would wish to highlight about Dov.

Dov is first and foremost a family man. I believe this is originated in Dov's roots in a family of Jewish Eastern European Holocaust survivors. His parents Jacob and Larissa have devoted their lives to their children with an unparalleled commitment. A small yet telling anecdote: his 70+ year old father for all these years, and still today, wakes up no matter when and often times at 3:00am, to pick Dov from the airport whenever he arrives to Israel. No matter how much Dov would push his father to sleep the whole night, and let Dov simply take a taxi, his father would not cave. It's this kind of unconditional love and commitment that Dov and his 2 brothers Ariel and Dani absorbed since childhood. It is this kind of love, commitment, encouragement and nurturing that pushed all of them to be accomplished athletes, with Dov, the elder son, at the forefront.

A second factor is Dov's naturally caring and giving personality. Simply put, Dov cares deeply about people. He authentically cares about every person he encounters, even the most remote. It is therefore only natural how far he would go for his own spouse and children. Nonetheless, there are also specific family circumstances pushing Dov to be even further devoted to his family: Celine, Dov's partner, had her parents separate when she was a baby and Dov is her backbone, a combination of a friend, lover, but also a someone who protects her and takes care of her in every way imaginable. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Secondly, Dov has a rare combination of intelligence, motivation and leadership, which inspire people to achieve, excel and overcome obstacles. I have served in the Israeli army as an officer - team leader in a special forces' commando unit for 4 consecutive years, and 12 years in the reserves. I have participated in wars and operations. Suffice to say that I would be proud to have Dov in my unit any day of the week. He is someone you know you can always count on, be responsible and follow the correct path. He is someone you would go to battle with, trusting your life with. Throughout our friendship, Dov was my sounding board in personal and professional decisions, someone I would really look up to for opinion and advice.

One of the key examples for me was my decision to leave P&G and become an entrepreneur. I can still recall the difficult dilemmas I had, the uncertainty, the inherent fear of leaving a stable ground and march into an uncharted territory. In a hindsight, I can honestly say that Dov was among the key drivers behind my decision. Watching his success with admiration, and having deep conversations with him, in which he alleviated my concerns, have literally shaped my decision to change my career track, and my entire life as a result.

Thirdly, your honor, and perhaps most important for the case at hand, and the associated decision: Dov is a good, kindhearted and benevolent human-being. I cannot recall a single case where he declined a request for help, no matter from whom. Take for example the case of Jody and Nick, friends of one of our common friends Gil and Michal. At a certain point in her life, Jody decided to open a fresh-made fruit juice delivered to workplaces. Dov immediately agreed to be one of her first customers. One day, Dov received tragic news: [REDACTED]. An urgent treatment was required, and Dov learned that they would appreciate donations to support the treatment and have launched a website to collect the donations. Dov did not hesitate, and immediately donated a very generous amount. The amazing thing is not the donation itself, but rather the fact Dov donated such an amount to a relatively remote person, in a heartbeat, and most impressively: without asking for any credit in return, i.e. –anonymously. Nothing can be more telling of a person's true character than a noble contribution which is provided anonymously, with nothing in return, not even a public or private recognition.

Well, for Dov, this is not an exception, but rather –a norm. He acted the same way in many other cases, e.g. the children's' school in Geneva, the Ichilov Hospital in Tel Aviv, the Jewish film Festival, to name just a few. In many other cases, I know about his help to specific people in need, among and beyond our circle of friends, again –without ever asking for anything in return, not even a recognition.

Finally, being close next to his family during the last year, I have witnessed the suffering and pain they went through. I have also witnessed Dov's selflessness and caring for everyone around him continued albeit the harsh experience he himself went through. He managed to keep his spirit and values and is looking forward to coming back to his family and society as the best version of himself.

I am all hope this sheds some light about who Dov is, and that mercy and consideration will be applied in accordance with the above.

Sincerely and respectfully,

Ron Rabinowitz

A handwritten signature in black ink, appearing to be 'RR' with a stylized flourish.

 Veyrier, Switzerland

**A-8**

July 2<sup>nd</sup>, 2021

The Honorable Victor Marrero  
United States District Court, Southern District of New York,  
Daniel Patrick Moynihan US Courthouse  
500 Pearl Street, New York, NY

Your Honor,

I understand there's a difficult decision ahead. While I do not know any of the specifics of the case in front of you, I do know Dov and have known him for over 25 years. He's a kind man, a true friend who was there for me through thick and thin. He's loving and caring to his wife and children and absolutely worships them, and adores his parents and brothers. I look up to him as a friend and role model. I hope that by sharing the story of my friendship with Dov I can convince you that he's a man who is good by nature, who is honest, hard working, loving and dedicated to his friends and family.

My name is Shilo Ayalon, and today I work as a software engineering manager at Amazon. I have studied electrical engineering at Georgia Tech, where I was also recognized as an academic and athletic All-American and later inducted into the GT Athletic Hall of Fame. I live with my wife and our two children in Israel, where I grew up. As a boy I took on competitive distance swimming and found out I was good at it. While in college I set multiple Israeli records and represented my country at many international competitions, including World and European championships.

Swimming is a very tough sport; at the truly competitive levels the training regiment is grueling. Waking up before sunrise to swim for 2-3 hours, lifting weights in mid-day, then 2-3 more hours swimming in the evening. This schedule spans 6 days a week, 50 weeks a year. Like many sports, it builds one's character. But unlike other disciplines, most of the training is done in silence - just the white noise of water in your ears, your heart beating to burst, your lungs burning for oxygen and the thoughts racing through your mind for hours on end.

Dov was the top Israeli breastroker at the time - a title he held until retiring. While distance freestyle and breaststroke differ in form and speed, they are identical in the amount of work, dedication and strong character needed to conquer the hardships on the way to success. As the nation's top athletes in our sport, we were under immense pressure to never falter, never miss a beat and always be the best. We've shared failures, victories, hardships and celebrations. We've laughed together, shared experiences I will forever cherish. We helped each other through physical and emotional pains. There were a few of those, and despite the physical distance that sometimes separated us, we each knew the other would be there for him. It comes so naturally I find I never formed it into a cohesive thought, and am actually tearing up writing this.

Dov graduated ahead of me, and being ever competitive and patriotic he took on serving in the IDF as a top athlete. Military service is mandatory in Israel, and having represented his country as an athlete, he was excited to also be able to serve it as a soldier. I watched in awe as he would wake up to swim 5-7 miles in the morning, drive to the base to serve for 6-8 more hours and then return to lift weights and swim again. He would shrug it off as "all in a day's work", give a tired smile and power through another excruciating workout to kick my butt in the pool. Somehow he'd still have enough energy between laps to shout at me with a grin to push myself harder. So I did.

Dov accepted a swimming scholarship to the University of Minnesota, where he took on Business & Economics studies. I graduated from high-school a year later and decided to postpone my IDF military service to accept a similar offer from Georgia Tech. I was excited and naturally somewhat frightened of the unknown - foreign country, language and culture. The experience was great, but even better - despite the distance between Atlanta and the Twin Cities, Dov and I managed to keep in touch and even see each other every few months in college swim meets.

Dov retired after the 2004 Athens Olympic Games and went on to start his career in Finance. I graduated from GT in 2005 with a master degree in engineering and decided to retire from swimming as well. Since I postponed my military service before college, it was time for me to join the IDF and I enrolled as an electrical engineer in one of the research divisions. I was 24 going on 25 at the time. The average Israeli teenager enlists immediately after graduating from high-school, and is therefore expected to still live with their parents when on leave. As such, the IDF pays a very modest salary of less than \$200/month. In contrast, I was in my mid-20's, fresh from living on my own in Atlanta for the past 6 years, a former college hero athlete having a steady grad-student income and the freedom that comes with being a civilian. This new reality of being a former has-been, a soldier with a fixed daily routine, non-existent income and very little say on the course of my life for the next 3 years hit me quite hard. In addition, going from the southern hospitality of Atlanta to the Israeli "chutzpah" was a true splash of reality. These were some trying times, and I became [REDACTED] as I couldn't quite figure out how to land on my feet.

And again, Dov was there for me. He offered to let me stay in his place until I figured things out. No timeline, no due date, no pressure - despite it being a cramped Tel Aviv apartment occupied by Dov and his girlfriend, their roommate and his significant other. Dov got me a mattress to sleep on, and I stayed there for close to a year. He re-introduced me to enjoying the company of friends and helped me ease back into my new reality. I recall that often Dov would return from work close to midnight, see that I wasn't having a great day and proceed to rush me out to grab a bite or a drink and take my mind off my trouble.

I met my future wife soon after, and she joined our close group of friends. I believe that one of the reasons our relationship took off was how well she got along with my friends, and how much they liked and enjoyed her company. Dov and her became good friends, as if she was always part of our gang.

Dov moved to Switzerland the following year and watching from the sidelines, it was incredible - he just started in a back office job less than 2 years before, but was able to move rapidly up the corporate ladder, and his dedication, work ethic and discipline was captivating to watch. For example, this new job required fluent French, and Dov admitted to speaking very little. But he just shrugged it off in his carefree, optimistic manner. And indeed, when he came back to visit a few months later I overheard him on the phone firing off as a native Parisian.

Despite the distance, we'd speak often on the phone - and never about work. Friends, relationships, swimming and life. Dov would come visit whenever he could, and we would catch up as though not a day passed. I think this is a good measure of friendship - if long periods of disconnect pass and people can still pick it up where they left off. A few visits later I was very happy to hear he met a great girl, and was even happier to meet her soon thereafter. During his visits, Dov would always spent as much time with his parents and brothers as he could, it was so important for him. I also found it endearing that despite his success in business (and the very fine dining that could be found in Tel Aviv) he would never



miss a family dinner at his parents. He was also often taking leftovers from mom's home cooking to eat in his hotel room.

The years passed and we remained close friends. When I got married in 2010, Dov was my best man. Visiting from Switzerland, he stayed at the same hotel as my wife and I. Upon leaving we found that our (considerable) bill was paid in full by an unknown benefactor. But of course, I knew. In late 2012 I co-founded a tech startup and both my wife and I worked on it full time without taking a salary to give the company a greater chance to succeed. Dov politely passed on our offer to invest (our startup was a terrible idea in hindsight), but proposed to help us with some of the bills - no strings attached. A couple of years and 2 kids later I could no longer afford to work for free, and was ready to quit. As always, I turned to Dov for advice. He proposed that my co-founder and I do some paid IT consulting work for his firm so we can keep pursuing our founding dream, which we did throughout the year that followed. In practice our consulting wasn't very effective or beneficial, but I'll be forever grateful that he was helping us provide for our families and giving our startup a fighting chance.

Over the past decade our group of friends began to settle down and all of us had kids. Instead of going out for drinks we started taking nature trips together, meeting for picnics and introducing our kids to each other. Around his family Dov always looks absolutely beaming, it's quite heartwarming to see and observe how his son, [REDACTED] looks up to him. [REDACTED]

[REDACTED] Definitely "daddy's boy". [REDACTED] was born not too long ago, and it's heartbreaking that Dov and she did not get to spend that much time together. I imagine the past year, and my heart goes out to [REDACTED] and [REDACTED] - being torn apart from their adored father at such a young age.

I hope you will find it in your heart to allow Dov to reunite with them and go back home. I am at your service for any further question at [REDACTED] and if given the opportunity would be honored to stand in front of your court to testify about my dear friend Dov.

Respectfully,



Shilo Ayalon  
Shiloa@gmail.com

**A-9**

The Honorable Victor Marrero

August 4<sup>th</sup>, 2021

United States District Court, Southern District of New York.  
Daniel Patrick Moynihan United States Courthouse,  
500 Pearl Street, New York, NY 10007-1312

Your Honor,

My name is Erez Rosen (61 years old) and Dov Malnik has been a very dear friend of mine for many years.

I still recall our first phone conversation from over 17 years ago. At the time I was the CFO of one of Israel's first NASDAQ traded companies - Aladdin Knowledge Systems (ALDN). This was around 2004 during the initial globalization of Israeli technology and we were all learning about the technicalities of the US financial markets. I had been continuously disappointed and was looking for better services and professionalism from the financial service providers. There was something in the voice of this then young man which caught my attention and made me call the CEO of the brokerage house to praise him – I told them that they had found a superstar, and asked them to please make sure to assign him to my team!

It took us about half a year to meet in person. The first thing that struck me then, and ever since, was the warm open kindness that he transmitted to all of his surroundings. Despite the age difference, I was immediately drawn to his warmth and sincerity and a true and close friendship developed over the years.

Dov was a strong pillar for me during my [REDACTED] I knew that I could always call him day or night and that he would always be there listening and supporting me. It felt as though he was my younger brother. He always knew that I can always trust on him for anything I need, and I later learned I was not the only one, and that he is genuinely interested in helping people.

I would like to share one story which I have never shared with anyone but I believe it reflects Dov's sensitivity and goodness of heart, showing who Dov really is:

My son served as a fighter soldier in the Golani Brigade (an infantry unit in the Israeli Defense Forces). His service included participation in many combative operations, including combats in highly dangerous

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] am surrounded by love from family and friends but the calls from Dov are different. He doesn't just call to hear how I feel but spends hours with me on the phone discussing anything to distract my thoughts. For me it is very meaningful as he also himself fought with cancer. With everything that he is currently going through, the long separation from his young children and dealing with the disastrous consequences of his indictment, he still find the time and consideration to give me his full attention, to support me in his usual way, despite everything.

When you reach a certain phase in life, you realize that you can't take money to the next world but you can take love and smiles of good people. Dov's friends and the people surrounding him will take a wealth of love with them.

I hope this difficult matter for Dov will be finalized shortly and that he will be able to return back to his normal family life and friends to continue to spread love to his surroundings as he has done so generously throughout his entire life.

Best regards

Erez Rosen

Erez@rosen.co.il

A handwritten signature in black ink that reads "Erez Rosen". The signature is written in a cursive, flowing style with a large, stylized 'R'.

**A-10**

July 8th, 2020

The Honorable Victor Marrero  
United States District Court, Southern District of New York,  
Daniel Patrick Moynihan US Courthouse  
500 Pearl Street, New York, NY

Your Honor,

I'm writing this letter in the hopes of letting you know a little about my dearest and most important friend, Dov Malnik, and how he changed and influenced my life.

My name is Shahar Sheinfeld and I am 42 years old. Married to Ety and have 2 young daughters.

At the age of 6 I started swimming in a group 3 days a week and since the age of 7 started to swim competitively 6 days a week, including camps. When I met Dov few years later it totally changed my life. At first I didn't have so many friends in the group and I was about to quit swimming, but with Dov's arrival it all changed. He was back then Israel's star swimmer in the young age groups, surrounded by so much attention nationally and admired by young swimmers. Nevertheless, he was so humble, caring, so far from what you would expect to see from an athlete in his level. He immediately became my confidant and most loyal friend.

Thanks to Dov I've managed to get by some of the most difficult times of my life, and I honestly don't know what I would have done otherwise. Thanks to our close friendship I felt empowered, that I can handle anything, including the most intense training and competitions, and managed to persist in swimming for so many years. I ended up swimming competitively until I joined the army at 19 years of age and I am confident that it was only possible thanks to having Dov in my life.

When I started my bachelor's degree in computer science I was under a lot of stress and things didn't come easy to me. All this time Dov was always there for me. He was the one I turned to in order to hear me out and encourage me that I can do anything I choose, no matter how hard it gets. Even the fact that he was living abroad didn't matter to us and did not affect our friendship. I could always feel that he is there for me, no matter the physical distance between us.

When I was close to graduating I suddenly lost my father. It was very unexpected and his loss affected me a great deal. [REDACTED]

[REDACTED] Dov was living abroad at the time. As soon as I reached out to him he was with me on the phone the entire time. There was not a lot he could say but just the fact that he was there helped me through this horrible situation, letting me know that I'm not alone. The funeral took place the morning after and although Dov didn't make it in time he asked his father to come and be there for me until he arrives.



Dov dropped everything and arrived shortly after, making me understand once again that I can rely on him no matter what.

After I graduated I was working in several places and at times struggled to find the right place for me to thrive and develop my career. Unfortunately I had to face a period of unemployment which brought me to economic distress. In these hard times Dov stepped in and on his own suggested to help me financially. Both his deep concern and financial help was what helped me to get back on my feet and once again have faith in myself and in my abilities. This example is just one of many to emphasize Dov's big heart and unlimited generosity.

During my wife's and I honeymoon we visited Geneva and Dov welcomed us with open arms and made us feel at home. He took us traveling and to restaurants, making sure we will have experiences to remember for life. When my oldest daughter was almost 1 year old Dov invited me to a ski vacation with him in Geneva. I'd never dream of going on this kind of vacation and Dov made it possible for me. This vacation was exactly what I needed at the time, helping me to take a break from the race of life and the difficulties during the first year of my first born child, and enabled me to recharge.

Every time Dov came to visit Israel alone and or later with Celine and his children [REDACTED] and [REDACTED] he always made sure to gather all his friends together. We used to spend lazy Saturdays at his place, or going to family vacations in nature together here in Israel. My daughters know that when Dov is around it is guaranteed fun and joy, and what's so beautiful in this all is that Dov does this out of the goodness of his heart, never expecting anything in return. He just likes to make people happy and contribute as much as he can to their wellbeing.

On top of it all I must add that Dov is a wonderful partner to Celine, and the most dedicated and involved father I have ever met. No matter how busy and hectic his life can get, he always had the time to be with them, talk to them and play with them. To read them a bedtime story and tuck them in. When he talks about them his eyes start to shine and he gets filled with joy and excitement. I am certain that this time apart from them is probably excruciating for him, and there is not a day goes by that he doesn't think of them and misses them.

By all means Dov is the most unique, admirable, hard working and generous man I have ever met, and probably will meet. I hope that in this letter I have succeeded in opening a small window to his nature and personality, and helped you understand what a significant meaning he has to me and what an impact he has on my life.

With kind regards,

Shahar Sheinfeld  
[REDACTED] Holon, Israel

*Shahar Sheinfeld*

**A-11**

July 16, 2021  
Alon Halfon  
[REDACTED]  
Geneva, Switzerland

The Honorable Victor Marrero  
United States District Court, Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, New York, NY 10007

Dear Judge Marrero,

This letter is about my true friend Dov Malnik. My name is Alon Halfon, I'm a CFO of a small community organization in Geneva, I'm a CPA and I hold a MBA degree in finance in marketing. In the last 13 years I live with wife and kids in Geneva. It is since when we came to Geneva that I know Dov and throughout the years I was able to have close experiences with him to be able to tell you today that I feel I truly know who Dov is.

He is a kind man, a generous man, which always helped others in need, whether it is financially or with his time. A person that is always surrounded by friends, and is loved by so many. He is a hardworking man, honest and respectful, and whatever mistake he has done to be facing your court today, it is not a representative of who he is and how he led his life.

In last few years I had issues in my relationship that recently got to a dead end and in the last year and a half I'm facing [REDACTED]. Throughout these difficult years I have experienced, Dov was one of the few that were beside me, supporting me mentally, calming me with advise and reassurance. There were even times when I had no where to go to and luckily I had Dov, to organize for me a place to stay, even if he was not himself in Geneva at that period. For someone as busy as Dov, to always be able to listen to my problems, giving advice, with the outmost attention, is not trivial thing. This supports I will never forget.

My kids are the most important thing to me in world and in the [REDACTED]. [REDACTED]. Dov, like me is an amazing father that was always so close to his kids. When sharing my issues with him, getting his opinions, I could see how involved he got, and how the issue of kids is key in his life. When I got [REDACTED] he instantly offered to help if financing would be an issue [REDACTED]. I cannot describe in words how much getting someone that will listen to you and that will give advice even when it's not what you want to hear, helped.

In the last year, the most difficult year my life, the single most meaningful person in helping me was Dov, even while he was incarcerated in prison! From that dark place, with world collapsing, he sent me handwritten letters every week, encouraging me, giving me his opinion, asking me to keep him updated on my separation discussions, and giving me strength to be there for my kids. I believe this says a lot about a person, thast in his most difficult times still think about other's.

I can hardly stop my emotions when thinking of him being separated like this from his kids for so [REDACTED]

[REDACTED] Few people know better than me how strong the connection between Dov and [REDACTED] is, they are inseparable.

Your honor, I am a man of faith, a man of religion, and the sentence that I repeat the most lately is that people with big heart will receive their remuneration from g-d for their good deeds one day.

Dov is special, I say it because I know him, not because he is my friend. I saw enough of my friends who preferred to take distance from my issues and were not there for me. I see Dov with pure soul and I beg you today to allow this good man to return to his family and his kids who need him so much, to his friends who are desperately waiting for his return, and our community.

Respectfully yours,

Alon Halfon

A handwritten signature in black ink, appearing to read 'Alon Halfon', written in a cursive style.

**A-12**

Yael Rabinowitz

Veyrier, Switzerland

July 20<sup>th</sup>, 2021

The Honorable Victor Marrero  
United States District Court, Southern District of New York,  
Daniel Patrick Moynihan US Courthouse  
500 Pearl Street, New York, NY

Dear Judge Marrero,

Your honor, I wish to thank you for the opportunity to address you directly with this letter.

My name is Yael Rabinowitz, born and raised in Israel. I live in Geneva with my husband and three daughters. I have served in the Israeli army in a military intelligence unit, I hold a B.A in Economics and Management (graduated with honors), and an MBA majoring in finance and accounting, both from Tel Aviv university. I have built a solid career over the past 18 years in the financial industry, first in Israel and thereafter in several key financial institutions in Switzerland and have progressed from an analyst position to managing director.

It has been nearly a year since our world was shaken following Dov's imprisonment in Switzerland under tough COVID-19 restrictions. We have been supporting him, his parents, his spouse and his very young children Noa (2 years old) and Natan (4.5 years old), throughout this year. We have witnessed closely the deep sorrow and pain caused to the entire family.

It is with great **reverence** I am writing this letter to your honor, hoping I will be able to adequately describe who Dov is. It is not easy to express in writing the full range of emotions I feel with regards to Dov's sad story. Dov has been my close friend for the past 13 years. I know Dov very well, maybe as well as one can be, as he has been an important part of my life the better portion of my adult life. If I would be able to canvass, your honor, even with just a glimpse, his uniquely good personality, I would be grateful.

I have met Dov in June 2008, on the first month after my husband and I moved from Israel to Switzerland and I immediately connected with him. Both Dov and I are Israeli natives, born to Eastern European immigrants. My parents, like Dov's, were both engineers in Israel's defense industries and have made their 'alyah' (immigration) in 1973. We had a similar upbringing, in a mid socioeconomic class, in Tel Aviv's satellite cities. The Eastern European style of upbringing which we shared and the fact we were both third generation of Holocaust survivors have created an immediate bond. As children of hardworking parents who built their new life in a new country starting from zero, our parents raised us with the mentality of working hard, striving to excel, and not taking anything for granted.

We had many nearly 'mutual' memories from childhood. The grandparents who didn't speak Hebrew and our parents who were not 'full Israelis', educating us in a different manner than the outside environment. Growing up to immigrant who were not yet fully integrated into society was a tougher experience in Israel back in the 80'. The Eastern European immigrants,



mainly Holocaust survivors who literally raised from the ashes, were not seen as equal and it was hard for the younger generation to overcome this gap. He who has not been through this will not be able to fully understand. It is because of this background, but even more so because of Dov's truly unique nature, his good heart, that created a real deep bond and a very close friendship.

At that time back in 2008, Dov kept talking about his Swiss ex-girlfriend, Celine. It was clear that even though they were separated at the time, she is still in his thoughts and heart. I was sure that Celine not being Jewish and Israeli, which was very important to Dov since he is so connected to Israel, will weight against his love for Celine, a hard barrier to overcome, but I was wrong. Celine was always his truly love. I remember sitting with my mother so many times when Dov visited me, and he kept talking about Celine and his plans to win her heart back. My mother and I used to listen to him, seeing how his eyes lit up when he talked about Celine, and although we thought it's choosing a much more difficult path, we could only admire the strong love he had for her. For Dov taking the difficult path was never a problem, he was never afraid of working hard and overcoming challenges. Indeed, later they got back together, and I got to know him as a partner as well. Dov is so supportive of Celine, always taking care of her, and its clear that she means the world to him, and that he in return means everything for her.

I wish also to convey who Dov is and how lucky one can be to have him as a friend. Dov is the kind of a friend who will always be there for you and will go above and beyond to help. I always joke that he is the first one I would call in case of emergency, even before calling my husband, but there is a good reason for that. Its because he is always so reliable, always there to help, and will never make you feel uncomfortable asking for something. In reality, I have many stories where Dov was in fact my first call.

For example, when I was a young mother to my first child, [REDACTED], I had a terrible incident, an

[REDACTED] I didn't know what to do and I immediately called Dov, of course. He dropped everything, left work and rushed to my house. Once he arrived, he took charge of the

[REDACTED] Once we reached her place, Dov helped her safely get in her apartment and made sure she was ok. Thereafter, he reassured me that [REDACTED] was fine, there were no signs of any injuries and took me back home, staying with me until I gained back my confidence and composure. I knew when I called Dov, that he would drop everything to come and help me, no matter what he was doing at that moment.

When I moved to Geneva, I gave up my work in Israel's largest bank, and was looking for a job in the financial sector in Geneva. This was in the midst of the 2008 financial crisis and it was hard get even a job interview. I was a young woman, relocating to a new country, with no local work experience. Dov immediately volunteered to help me; from preparing a proper CV file, to introducing me to his entire network. Dov didn't hesitate to reach out to any relevant person to warmly introduce me. It was through Dov I got my first job opportunity in a fund management firm and although eventually I decided to go for a different job, I was always grateful he was there for me and did whatever he could to help me.

Despite being top athlete, despite the impressive success he achieved in his professional, Dov is an extremely humble person, a real people's person. His personality is a magnet for people, and he has always been kind and open to every person, be it the doorman in the building or the chief executive of a big firm.

[REDACTED] From the day she was born, she was always happy, smiling just like Dov, a sweet blonde baby girl, and when I look at her today, I see an exact duplicate of him. And Dov was simply in love with her. Every opportunity he had, he would take her on the stroller for hours and hours of walking, just enjoying being with her. He took her to the swimming pool, to the playgrounds and she always loved to be in her father's arm, never wanted to let go. They were perfect together.

Two weeks before his arrest we invited Dov, Celine and the kids to celebrated Jewish new year in dinner at our house. I remember looking at Dov taking care of baby [REDACTED] with the most gentle touch, and thinking how fortunate she is to have Dov as a father, I could already imagine how she will grow to be daddy's girl, I was sure he will be her idol. He told me than how he can't wait until she starts to speak Hebrew (Dov speaks only Hebrew with [REDACTED]), and until she grows up a bit so he can start teaching her things. I kept thinking about our conversation in the last year while time has gone by, [REDACTED] learned to speak, but nothing in Hebrew, and in fact [REDACTED] had no contact with her father all this time. I know this has wounded Dov's soul and will forever leave a mark.

I plea for you to see Dov for the good human being that he is and see how he and his family have suffered. I know Dov extremely well. I know how sorry he is, how much he regrets having put everyone around him through this. I also know that he has the power to rebuild himself and overcome this dark episode in his life. Like his grandparents overcame the horrors of World-War II, his parents overcame their difficulties along the years, Dov has the power and will to get back to the straight road, and build a good and honest life with and for his loved ones.

With the great respect,



Yael Rabinowitz

**A-13**

06 July 2021

Michael (Miki) Halika

Tel-Aviv, Israel

*To The Honorable Victor Marrero  
United States District Court,  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, New York, NY 1007-1312*

Subject: Dov Malnik

Your honor,

My name is Michael (Miki) Halika and I would like to submit this letter to the court in respect to the sentencing of Dov Malnik. I am 43 years old, born in Jerusalem and I have a son and a daughter. I was an Olympic swimmer, represented Israel in the 2000 Olympic Games in Sydney, I was a silver medalist at the 1999 European Championship as well as bronze medalist at the 2000 World Championship. I was also a member of the University of Texas' Longhorns swimming national championships team of 2001. Several years ago I founded a family office where I work with private clients.

I have known Dov for over 30 years, we were competing against each other from an early age and basically grew up together within the swimming world and we remain close friends until today. I have experienced with Dov many moments through life both happy and sad and my opinion of his character is based on the deepest knowledge possible. I first met Dov at the age of 12, he was a swimmer at the highest levels and even then he was able to show honor and respect to his competitors although he outswam all of them. As years passed, I got to know a friend, a true friend, one that you can count on with your eyes closed and a remarkable human being.

In the national team practices, we were lane mates, competing against each other but also respecting one another and happy for the other's success. Dov was always cheering other teammates, advising them and helping them to maximize their potential

Your honor, Dov always tells people "what's mine is yours", and although it's an old cliché, for him, he actually means it. I believe you will hear from many of his friends about his generosity, giving without any benefit. He does it naturally and in the most genuine way. And so, there is no point to tell you about so many instances where he would let me use something of his, or help me in things.

For me one meaningful example to illustrate who Dov really is was back in 2003, I have experienced one of the toughest periods of my life, going through a difficult breakup with my girlfriend which I was planning to marry. The first phone call I made was to Dov. It's not a coincidence that Dov is the first phone call in time of need for many in our group. It was a challenging period in my life, one that at that time seemed very difficult to overcome. Dov was my biggest support, he was there for me from the first second without any compromises. I had to leave our apartment and Dov immediately put me in his apartment, free of charge of course, for many months. We had endless heart-to-heart

conversations where he would provide me with a purpose, he actively took me out, encouraged me and in fact he was the one encouraging me to go out with the young women who will later become my wife, who I love dearly and have two beautiful children with. I will forever be grateful for him for supporting me at that time.

Dov was also there for me in my studies, helping me both in highschool preparing for exams when I had difficulties and especially helping me with final exams. It was Dov who tutored me after swimming practice, and when I was considering dropping out of Math studies, it was Dov's belief in me and encouragement that motivated me and I passed the exam. This later opened so many opportunities for me in the future and enabled me to go the University in the US. In addition, during my period as student-athlete in 2001 at the University of Texas, I was regularly consulting with Dov, who was in Minnesota at that time, on which courses to take, what fits me best and how to build my schedule. Later on, at my first job in the finance sector, Dov again was the one I turned to in order to consult on which areas I should focus on, helped me with job interviews, and shared with me his knowledge on so many elements in finance. His mentoring led me ultimately to be the proud founder of my family office.

On my wedding day, it was Dov again who I trusted to accompany me and my wife during the entire day. Driving us from morning until the end of the wedding, from hair and make-up to photo shoots, he guarded our rings and took care of all the details. I realize now, that he was actually the best man in most of the weddings of our extended group of friends! I think this is quite unique that so many people trust him with this, and want him to be the one next to them on their most important day in life.

During these years, I also got very close to Dov's family: his parents, Yacov and Larisa, his brothers and later on to Celine and their children. I got to know a wonderful family, a family which accepted me for who I am, that invited me to dinners after just meeting me and invited me to stay and watch basketball and tennis matches together after food. A family that made me feel like I am at my own home.

Throughout the years, despite sometimes the geographic distance, we always made sure to meet and talk often and every time after talking or meeting Dov, I feel how lucky I am to have him as a close friend and our families so close as well. He helped endless times to people in need, financially and more important mentally. He is very modest about his achievements in swimming, career and in life, the only achievement he is openly "bragging" about is his family and his children – they are the light of his life. I guess this is why he is surrounded by so many friends.

He is a good person, a rare type, that probably made a mistake along the way, yet, in Judaism we have a day called "Yom Kipur" – it is a day of collective and individual purification by asking for forgiveness to ours and others' mistakes. It is believed that on this day, during prayer, the skies are opening and god is weighting each and everyone's deeds on a scale, one side is all the good we have done and the other side is our sins, and he judges us based on what is heavier – your honor, it is with full heart that I say that Dov's good deeds' side of the scale is much much bigger and I hope the court will see it as well when sentencing him.

With respect and regards,

A handwritten signature in cursive script that reads "Miki Halika". The ink is dark and the signature is fluid, with the first name "Miki" and last name "Halika" clearly distinguishable.

Michael (Miki) Halika

**A-14**



The Honorable Victor Marrero  
United States District Court, Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Your Honor,

My name is Kelly Kremer. I am the Head Swimming and Diving Coach at the University of Minnesota. I have known Dov since 1998 when he was a first year student athlete on my Team here at Minnesota. I was an Assistant Coach back then, but had the good fortune of having Dov in my training group. It would not be an understatement to say that Dov was the ideal student athlete. He came to us after serving in his home Country of Israel's military. He was mature, thoughtful, focused, and driven. We hit it off immediately. In the early years, Dov's personality of being caring, friendly and outgoing was the perfect mixture for hosting our prospective students. I kept him busy!! He was a regular recruiting host and was responsible for bringing in many other quality people like himself into our Program.

Dov didn't miss a practice at Minnesota, and in four years of undergraduate work his name never came across my desk for anything other than positive actions and impact. In fact, he shined in every way, and was selected by our Team and our Coaching staff as our Team's Captain in both his Junior and Senior years. In my 24 years at Minnesota, we have had fewer than 5 people be named Captain in more than one season. It is something unique and reserved for someone modeling the right behavior, and demonstrating outstanding leadership qualities. During his time with me, Dov helped lead our Team to two B1G Conference Team Championships, and he himself was an All B1G and NCAA All American performer.

Dov's time at Minnesota was not without adversity. He was the type of performer who worked for everything he received. In his sophomore campaign with us, he failed to qualify for the NCAA Championships. Though it's only athletics, to a person in this position it takes on a life of its own. I was so proud of how Dov handled himself. He was resolute and asked to attend a last chance qualifier. I watched him persevere and qualify. It was a small thing, but for someone to overcome the mental and physical challenge that is presented with the initial disappointment of not qualifying with their teammates, it demonstrated to me that Dov could handle situations of disappointment, set back and failure, and he could come back better for it. I believe we will see that with him in this instance as well.

When Dov was departing Minnesota following his undergraduate work, he left me a hand made trophy of sorts. A base with two flags, one of the Minnesota Vikings and one of the Pittsburgh Steelers. He promised me he and I would attend a game together in the future. He hugged me and thanked me for being his Coach. I hugged him back thanking him for leaving our Program better than he found it.

I have kept tabs on Dov over the years. I am so proud of the man he has become. Successful, but always keeping Family and personal relationships as first priority. I am not sure the nature of the trouble Dov has gotten into or his role. But I do know he is a person that will be honest about his role, accept responsibility for it, and understand that accountability is part of the poor decision(s) he has

made. When talking about this, it's hard to believe I am speaking about Dov Malnik. I assume, in a position like yours, you must hear that a lot from people. I am a firm believer that we all make mistakes. Some are small and go unnoticed or unchecked, and they may change behavior moving forward. Others, like this, are life changing. I am certain Dov's life has changed forever. He is a good person, thoughtful and caring. I am in tears thinking about all of the time his children have missed with him already. I am hopeful you will be lenient in your decision when sentencing Dov. If there is any information or assistance I can provide, please reach out to me. My cell is [REDACTED]

Thank you, Your Honor, for reading my letter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Kremer', with a stylized flourish extending from the end.

Kelly Kremer  
Head Swimming and Diving Coach  
The University of Minnesota

**A-15**

July 24, 2021

The Honorable Judge Victor Marrero,  
United States District Court, Southern District of New York  
Daniel Patrick Moynihan US Courthouse  
500 Pearl Street, New York, NY

Your Honor, greetings,

Mr. Dov Malnik is a friend very close to my heart and I am writing this letter to tell a personal story shared by Dov and me.

My name is Ben Peretz, an Israeli and American citizen, living in Israel with my wife and our two children.

On December 8, 2016, I flew from Israel to New York for a business trip to promote my startup Pink Park. On the morning of the 9th, I received a phone call from my wife who was pregnant for the first time, in week 24, saying that her water broke and that she is under special supervision at the hospital in Israel and that I must return immediately. [REDACTED]

[REDACTED]

[REDACTED]

Even after coming out of preterm intensive care unit and relaxing a bit, in fact it only begins, and its not easy. [REDACTED]

[REDACTED]

[REDACTED]

Dov Malnik, a devoted father like no other, gave up his daily pursuits and devoted himself entirely to [REDACTED] whether it was at night, during the day, and of course to his wonderful wife Celine who experienced great difficulty in giving birth and raising [REDACTED].

[REDACTED]

It has been over 4 and a half years, Dov and I are close friends and I really love Dov. He is a kind hearted, sensitive, smart and contributes a lot to his community and environment, he is a wonderful son, I got to know his family and parents, a good friend and a warm and loving father. When Dov's son was released from the hospital, Dov went to the senior doctor who managed the intensive care unit and asked him how he could help, I was there. The next day Dov donated a respiratory machine for \$ 50,000, a device that was missing in that unit and could save the lives of many preterm infants.

Since Dov been in custody in Switzerland, I have been in touch with Celine, and it's just breaking my heart to see his son [REDACTED] losing his anchor. The only thing that could calm him down. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dov is one of the most wonderful people I have met in my life who does so well for his environment, his community and his children and his wife who have just been miserable and suffering every day he is away from them.

Sincerely,

A handwritten signature in black ink, consisting of a stylized 'B' followed by a long horizontal stroke.

Ben Peretz, Israeli and American citizen

[REDACTED]

24 ליולי 2021

לכבוד:

כבוד השופט ויקטור מררו  
בית המשפט המחוזי בניו יורק  
The honorable Victor Marrero  
New York southern district  
500 Pearl street, New York

כבוד השופט, שלום רב,

מר דב מלניק היקר, הוא חבר מאד קרוב לליבי ואני כותב מכתב זה על מנת לספר סיפור אישי משותף לדב ולי.

שמי בן פרץ, אזרח ישראלי ואמריקאי, גר בישראל עם אישתי ושני ילדינו.

ב 8 בדצמבר 2016 טסתי מישראל לניו יורק לנסיעת עבודה לקדם את הסטארט אפ שלי פינק פארק. בבוקר של ה 9 קיבלתי טלפון מאשתי שהייתה בהריון הראשון שלנו, בשבוע 24, שירדו לה המים ושהיא בהשגחה מיוחדת בבית החולים בישראל ואני שחייב לחזור מייד. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

דב מליניק, אבא מסור שאין כמותו, ויתר על העיסוקים שלו ביום יום והקדיש את כל כולו [REDACTED] אם זה בלילות, בימים, וכמובן לסלין אשתו הנפלאה שחוותה קושי מאד גדול בלידה ובגידול של [REDACTED]

[REDACTED]

עברו כבר למעלה מ 4 וחצי שנים, דב ואני חברים קרובים ואני מאוד אוהב את דב. הוא אדם טוב לב, רגיש, חכם תורם המון לקהילה ולסביבה שלו, הוא בן נפלא, זכיתי להכיר את משפחתו והוריו, חבר טוב, ואבא מסור חם ואוהב. שדב סיים את הפרק של הפגייה, הוא ניגש לרופא הבכיר שמנהל את הפגייה ושאל אותו איך הוא יכול לעזור, אני הייתי שם. יום למחרת דב תרם לפגייה מכונת הנשמה ב 50 אלף דולר. מכשיר שהיה חסר לפגייה ויכול להציל חיים של פגים רבים.

מאז שדב נכנס למעצר בשוויץ, אני בקשר עם סלין, [REDACTED]

[REDACTED]

[REDACTED]

דב הוא אחד האנשים הכי נפלאים שפגשתי בחיי שעושה כל כך טוב לסביבה שלו, לקהילה והילדים שלו ואשתו פשוט אומללים וסובלים בכל יום שהוא רחוק מהם.

בברכה,  
בן פרץ אזרח ישראלי ואמריקאי



Ben Peretz

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**A-16**

BS"D

August 16<sup>th</sup> 2021

To: The Honor Judge Victor Marrero  
United States District Court,  
Southern District of New York  
500 Pearl Street, New York

Your Honor,

This letter is written in the context of Dov Malnik's sentencing decision that will be discussed in your courtroom, and I thank you for your attention to the issues presented in my latter, which I believe are of paramount importance.

My name is Yaffa Dayan and I am the principal of the kindergarden and pre-school "Gan Yeladim" in Geneva, Switzerland. Our school network has about 130 children ranging from one year olds to six year olds, and has 23 staff members.

Dov Malnik's son, [REDACTED] Malnik , born December 19<sup>th</sup> 2016, has been enrolled in our kindergarden for two years. He began his first year with us in September 2019.

[REDACTED]

[REDACTED]

With all my rich experience in the field of education I must point out that I was amazed to see the connection between [REDACTED] and the father and it intrigued my curiosity to know and understand in depth the nature of the relationship between them. In a special conversation that took place between me and the father, I received an answer to the uniquely strong connection between the father and [REDACTED]

[REDACTED] Since then, the father told me, my life and his life are intertwined so strongly in a way that is beyond the normal connection that exists between a father and his son. It is clearly apparent when you see them.

The first school year was a wonderful one for [REDACTED]. The child was vital, adapted well, developed and progressed and underwent a normal educational learning process.

In September 2020, [REDACTED] moved to the next class located on the top floor. This transition requires a process of adaptation and in the first days we ask parents to accompany their children. As usual, [REDACTED] father accompanied him through the process and, as always, showed warmth of love, understanding and tenderness towards [REDACTED], everything was done in an educational way and in cooperation with all the staff members.

[REDACTED]

With great sorrow I received this information, my heart was filled with great concern [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I had no information about what was happening, how long it would take, whether he had telephone contact with the father, whether he was visiting him, etc.

[REDACTED]

[REDACTED]

[REDACTED]

the father had disappeared from the child's life and once again the [REDACTED]  
In the last days of the school year [REDACTED] told us with a little light in his face "I'm going to visit Dad soon.  
This time I need to take a plane to visit him."

**In conclusion,**

I must note that I, as an educator for over 35 years with a bachelor's degree in educational counseling and specializing in the field of child development, I am very concerned about [REDACTED]'s condition. The connection between him and his father is so deep and meaningful, far beyond the ordinary. It is clear to me that in the absence of the father, [REDACTED]  
[REDACTED]  
[REDACTED]

I am writing these things honestly and out of responsibility for fulfilling my role as the kindergarten and pre-school principal. Throughout my career in education, I have set as bedrock for my professional work, my concern for the mental and physical well-being of each child.

I feel a human and moral obligation to write this letter and my conscience does not allow me to stand aside.

I sign this letter out of concern for the child's well-being.

I am at your disposal if necessary, in accordance with the procedures and law.

Yaffa Dayan  
Principal of Gan Yeladim  
[dayany@comisra.ch](mailto:dayany@comisra.ch)  
[REDACTED]

T. +41 22 317 89 03 • [compta@comisra.ch](mailto:compta@comisra.ch) • [www.comisra.ch](http://www.comisra.ch)

[REDACTED]

בימים האחרונים לשנת הלימודים אמר לנו [REDACTED] עם ניצוץ של אור קטן על פניו "אני נוסע לבקר את אבא בקרוב. הפעם אני צריך לקחת מטוס לבקר אותו".

#### לסיכום.

עלי לציין כי אני, כאשת חינוך מזה למעלה מ-35 שנה בעלת תואר ראשון בייעוץ חינוכי והתמחתי בתחום הקשור להתפתחותו ועולמו של הילד, הנני מוטרדת מאוד ממצבו ש[REDACTED]

[REDACTED]

במיוחד לאחר שהם התאחדו מחדש להבנתי בביקור של נתן בארה"ב בחודשים אלו.

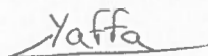
[REDACTED]

הדברים נכתבו בכנות ומתוך אחריות למילוי תפקידי כמנהלת הגן. לאורך כל שנות הקריירה שלי בתחום החינוך הצבתי לי כאבן דרך את הדאגה לשלומו הנפשי ופיזי של כל ילד במרכז עבודתי המקצועית.

אני מרגישה מחויבות הומנית ומוסרית לכתוב שורות אלו ומצפוני אינו מאפשר לי לעמוד מנגד.

[REDACTED]

אני עומדת לרשותכם במידת הצורך על פי הנהלים והחוק.



Yaffa Dayan

Directrice du Gan Yeladim

[dayany@comisra.ch](mailto:dayany@comisra.ch)



**A-17**

**Dr DANIEL S. HALPERIN**  
PEDIATRICIAN F.M.H.  
FORMER INDEPENDENT-DOCENT  
FACULTY OF MEDICINE OF GENEVA

1, STREET EMILE-YUNG  
1205 – GENEVA  
TEL. (022) 346 61 61  
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Judge Victor Marrero  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan Train Hall  
United States Courthouse  
500 Pearl St.  
NEW YORK, NY 10007  
USA

Geneva, September 9, 2021

Re: [REDACTED]

Your Honor,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Yours respectfully,

A handwritten signature in black ink, consisting of a stylized first name followed by a surname and a horizontal line.



100 Park Avenue, 16<sup>th</sup> Fl

New York, NY 10017

[www.consortra.com](http://www.consortra.com)

STATE of NEW YORK    )  
                                      )  
COUNTY of NEW YORK    )

SS:

**CERTIFICATE OF ACCURACY**

This is to certify that the attached document, "*Dr Daniel Halpérin*"- originally written in French -- is, to the best of our knowledge and belief, a true, accurate, and complete translation into English.

Dated: 10/19/2021

A handwritten signature in black ink, appearing to read "Heather Cameron", written over a horizontal line.

Heather Cameron  
Projects Manager  
Consortra Translations

Sworn to and signed before ME  
This 19th day of October, 2021

A handwritten signature in black ink, appearing to read "James G Mamera", written over a horizontal line.  
Notary Public

**JAMES G MAMERA**  
Notary Public - State of New York  
No. 01MA6157195  
Qualified in New York County  
My Commission Expires Dec. 4, 2022

Your  
legal  
translation  
partner 

**Dr DANIEL S. HALPERIN**  
PEDIATRIE F.M.H.  
ANCIEN PRIVAT-DOCENT  
A LA FACULTE DE MEDECINE DE GENEVE

1, RUE EMILE-YUNG  
1205 – GENEVE  
TEL. (022) 346 61 61  
FAX (022) 346 62 04

Monsieur le Juge Victor Marrero  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-131  
USA

Genève, le 9 septembre 2021

Re : [REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED].

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

*[Handwritten signature]*

**A-18**



*Tzahala, Tel Aviv, Israel*

*July 8<sup>th</sup>, 2021*

The Honorable Victor Marrero

United States District Court, Southern District Of New York

Daniel Patrick Moynihan US Courthouse, 500 Pearl Street, New York, NY

Your Honor,

My name is Kathy Gladkikh and I have known Dov Malnik for almost 20 years.

In fact, I have known him before, but a much more superficial acquaintance. Like Dov, I was also a swimmer, so we would meet in various competitions in Israel. However, our true acquaintance began when I started dating Miki Halika, who later became my husband. Miki was also a swimmer and roommate at Dov's apartment at the time. So we would meet a lot, sometimes on a daily basis. We would hang out together and we had a lot of acquaintances and mutual friends.

Dov is one of the people dearest to my heart, when his name comes up, a wide smile is smeared on my face and my heart expands. The warmth and love he radiates to those around him is quite addictive. He is a very charismatic guy and always at the center of things, but unlike a lot of people it never comes at the expense of someone else. Over the years, Dov has known and gained quite a few friends, whether in the field of sports or business, but the core of people who are really close to him and know him, remains almost unchanged and accompanies him to this day.

Dov is the kind of person you would want to get stuck with on a lonely island; an interesting person, smart, funny and kind-hearted. Someone you know will have your back and take care of things.

Personally, the feeling that he gives me is that I can always find a sympathetic ear in him and he'll provide help without hesitation. This feeling has been with me throughout all these years and more than once I have come to know that it is not just a feeling, but a solid fact.

I recall for example, back in the days when Miki and Dov were roommates, they went to a very long training camp abroad and I stayed in the apartment alone. Dov kept calling to see how I am doing, asked to bring me food, and took care of every small detail. At that time I did not have a car and Dov immediately suggested that I use his car for the whole period. The truth is, in the eyes of a 22-year-old girl, this is not a trivial gesture, driving a new car with manual gear, I was under such a pressure to return the car intact, and Dov did not even blink, he could care less. All he wanted is that I am comfortable.

Throughout our years of acquaintance, I always knew for sure that if needed Dov would stand by my side. To me it is this feeling that makes people want to be around him. His loyalty to his friends is uncompromising. The feeling that a small hint is enough for him to offer help or advise, Dov will not hesitate and will not think twice. When it comes to love and a desire to help out of genuine sincerity, these are qualities that no one can match him.

I want to tell you a story that might illustrate this friendship a bit:

Right near my and Miki's wedding day (and to be exact, the day before), following a silly and unfortunate accident, Miki broke his leg. His first phone call was not to me, but to Dov Malnik. Hearing Miki's voice, Dov knew something had happened, went out in the middle of a business meeting and drove straight to him. When I got home from work, I saw Miki sitting in the living room with a cast on his leg, a swollen face from an allergic reaction to pain killers, and Dov sitting beside him. The fear and stress brought me to tears and I almost collapse thinking the wedding may need to be postponed. Dov took me aside, calmed me, promised me that the wedding will continue and that he will take care of us. Since Miki was not able to put any weight on the leg, the next day he walked down the aisle on crutches, but we made it happen. Dov was standing next to us there as our best man, with his calming presence.

When it came to dancing part, we found ourselves standing in the middle of the dancing floor and not knowing what to do. Out of nowhere, Dov arrived, lifted Miki on his shoulders and then all the friends joined in and the dancing began. To this day when we remember or tell people about the wedding and the accident, the most memorable thing is how most of the evening Miki danced on Dov's shoulders. And as proof, he appears in half of our wedding photos. In my opinion, to this day Dov suffers from back pain because of this...

Dov is much more than a friend, he is family. He was involved in most of the significant events in my life and always provided a hand and help when I needed it, even if I did not explicitly ask for it. I wholeheartedly believe that if there is one person who deserves a second chance, it is Dov Malnik. As a father, dear husband and friend he has a responsibility and influence over the lives of others who need him. So if you put all the considerations at stake, the balance should be in Dov's favor.

Respectfully your,



Kathy Gladkikh

צהלה, תל אביב, ישראל

8 ליולי 2021

לכבוד

The Honorable Victor Marrero, United States District Court, Sothern District Of New York

Daniel Patrick Moynihan US Courthouse, 500 Pearl street, New York, NY

כבודו

שמי קטי גלאדקיך ואני מכירה את דב מלניק קרוב ל 20 שנה.

למעשה, אני מכירה אותו עוד לפני כן, אך הכרות הרבה יותר שטחית. בדומה לדב, גם אני הייתי שחינית, כך שהיינו נפגשים בתחרויות שונות בישראל. ההכרות האמיתית שלנו החלה כאשר התחלתי לצאת עם מיקי חליקה, שלימים הפך להיות בעלי. מיקי גם הוא היה שחיין ושותף לדירה של דב באותה העת. על כן היינו מתראים הרבה, לעתים על בסיס יומי. היינו מבליים יחד והיו לנו הרבה מכרים וחברים משותפים.

דב הוא אחד האנשים היקרים לליבי, כאשר השם שלו עולה, נמרח על פניי חיוך רחב והלב מתרחב. החום ואהבה שהוא מקרין לסובבים אותו די ממכר. הוא בחור מאוד כריזמטי ותמיד במרכז העניינים, אך בניגוד להרבה אנשים זה אף פעם לא בא על חשבון מישו אחר. לאורך השנים דב הכיר וצבר לא מעט חברים, בין אם זה בתחום הספורט או העסקים, אך גרעין האנשים שבאמת קרובים אליו ומכירים אותו, נותר כמעט ללא שינוי ומלווים אותו עד היום.

דב הוא מסוג האנשים שהיית מוכן להתקע איתם על אי בודד; איש שיחה מעניין, פיקח, מצחיק אבל הכי חשוב מישו שאתה יכול לסמוך עליו לדאוג לך.

התחושה שהוא נותן לי באופן אישי, שאוכל למצוא אוזן קשבת אצלו ושיגיש עזרה בלי להסס, מלווה אותי לכל אורך ההכרות ביננו ולא פעם נוכחתי לדעת שזאת לא רק תחושה, אלא עובדה בשטח.

כך זכור לי לדוגמא, עוד בתקופה שמיקי ודב היו שותפים, הם נסעו למחנה אימונים ארוך מאוד ואני נשארת בדירה. דב כל הזמן התקשר לדרוש בשלומי, ביקש לדאוג לי לאוכל, ודאג לכל פרט קטן. באותה תקופה לא היה לי רכב ודב הציע שאקח את הרכב שלו לכל התקופה. האמת בעיני בחורה בת 22 זאת מחווה לא טריוויאלית בכלל. לנהוג על רכב חדש עם גיר ידני, אני הייתי בלחץ להחזיר את האוטו שלם, ודב אפילו לא מצמץ, לא הזיז לו. היה לו רק חשוב שיהיה לי נח.

לאורך כל שנות ההכרות שלנו, תמיד ידעתי בוודאות שבמידת הצורך דב יתייצב לציד. בעיני זאת התחושה שגורמת לאנשים להיות בסביבתו. הנאמנות שלו לחבריו היא בלתי מתפשרת. התחושה

שמספיק ברמיזה קטנה לעזרה או התייעצות, דב לא יהסס ולא יחשוב פעמיים. כאשר מדובר באהבה ורצון לעזור מתוך כנות וחברות אמיתית, אלא תכונות שאף אחד לא יעמוד בהם. אני רוצה לספר לכם סיפור שאולי קצת יצליח להמחיש את החברות הזאת: ממש בסמוך ליום החתונה שלי ושל מיקי (ואם לדייק יום לפני), בעקבות תאונה טפשית ומצערת, מיקי נפצע ברגל. הטלפון הראשון שלו היה לא אלי, אלא לדב מלניק. כבר לפי הקול של מיקי, דב ידע שמשהו קרה, יצא באמצע פגישה ונסע אליו. כשאני חזרתי הביתה מהעבודה, ראיתי את מיקי יושב בסלון עם רגל מגובסת, פנים נפוחות מתגובה אלרגית ואת דב לצידו. מרוב הפחד והלחץ זלגו לי דמעות וכמעט התמוטטתי מהמחשבה שהחתונה עלולה להדחות. דב לקח אותי הצידה הרגיע אותי והבטיח שהוא ידאג להכל ושהחתונה תמשיך כמתוכנן. מכיוון שנאסר על מיקי לדרוך על הרגל, ביום למחרת מיקי עשה את דרכו לחופה על קביים אבל הצלחנו לעשות זאת ודב עמד לידנו כשושבין, מרגיע את כולנו. כשהגיע שלב הריקודים מצאנו את עצמינו עומדים באמצע הרחבה ולא יודעים מה לעשות. משום מקום, הגיע דב, הרים את מיקי על כתפיו ואז הצטרפו כל החברים והתחילו הריקודים. עד היום כשאנחנו נזכרים ומסתכלים בתמונות או מספרים לאנשים על החתונה והתאונה, הדבר הכי זכור זה כיצד רוב הערב מיקי רקד על הכתפיים של דב. וכהוכחה הוא מופיע במחצית מתמונות החתונה שלנו. לדעתי עד היום דב סובל מכאבי גב...

דב הוא הרבה יותר מחבר, הוא משפחה. הוא היה שותף למרבית האירועים המשמעותיים בחיי ותמיד מתן יד ועזרה כשהזדקקתי לכך, גם אם לא ביקשתי זאת מפורשות. אני מאמינה בלב שלם שאם יש אדם שמגיעה לו הזדמנות שניה, זה דב מלניק. בתור אב, בעל וחבר יקר יש לו אחריות והשפעה על חייהם של אחרים שזקוקים לו. כך שאם שמים את כל השיקולים על כף המאזניים, ההטיה צריכה להיות לטובתו של דב. בהערכה וכבוד רב

קטי גלאדקיך

*Kathy Gladkitch*

**A-19**

July 15, 2021

The Honorable Victor Marrero  
United States Southern District Court of New York,  
500 Pearl Street, New York, NY

Honorable Judge,

I am addressing you in this letter to tell you about a dear friend of me and my family, Dov Malnik.

My name is Einat Volakh Kandel, and Dov and I first met years ago as part of my work at [REDACTED] when he often flew and we would run into each other. But our Deep friendship began thanks to our children studying together in the kindergarten of the Jewish community in Geneva.

Because me and my husband are expats in Switzerland, with time Dov and his family have become our second family here, our children of the same ages and we are young families without relatives here in Geneva so we spend a lot of time together whenever they are in Geneva.

I got to know a person with high morals, a friend and an amazing father, a family man who spends time with the children and dedicates his life to his family, a sensitive and involved father.

[REDACTED]

I got to know a family man, a humble man and an exemplary father who always thinks first and foremost of the welfare of the children and the family.

I remember after his second daughter was born, Dov called to invite us to visit them. When we got there few days after the birth of his second daughter [REDACTED], Dovi opened the door for us with little [REDACTED] in his arms as he fed her a bottle and little [REDACTED] was wrapped around his leg, as Dov told his wife to go to bed while he took care of everything.

I asked him why he is hosting and bothering himself with this, and that it must be awfully hard with a new born and a two year old boy -he must be tired after the birth, and he told me that his son [REDACTED] wanted our daughter [REDACTED] to get to meet his little sister and so he wants to let his son share his and his family joy, with his best friend [REDACTED]

Dov is one of those people who are also there when times are hard. During my advanced pregnancy and the mourning period of my [REDACTED] Dov was there as a true friend and supported me and my family throughout the period, did not let me sink, always suggested we meet and spend time together, so I would not cope alone... Drove my daughter with his son to classes and activities and participated with them... He was and still is a friend in the most beautiful and difficult moments. He is always sensitive to those around him, friends and family.

[REDACTED]

As the days passed, the wall filled with so many paintings every day when Dov would send a drawing from prison, from the darkest place in the world, he still found the way to be the number 1 father who thinks only about how to make his children happy, how to give them love.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I am sad to know she's not getting a hug from her dad. I am sad to know that she did not see the smile on his face when she said her first words and the first sentence or celebrated a birthday. There is no more severe punishment for a parent than to miss your children growing up, not to be with them at a kindergarten party or birthday party.

My and Dov's relationship has always been a friends relationship, we never talked about work since I work in a classified place and he works in finance, this is an area I am not familiar with. So I do not know exactly what happened, but I do know very well and I vouch with all my heart for my friend Dov and the father of [REDACTED] and little [REDACTED].

And therefore, I ask you the Honorable Judge, to consider and mitigate his sentence, because it is not only one person's judgment here but the fate of an entire family. A father who did not get to see or hug his children for so long when a global pandemic rages outside. We are talking about 2 children who did get to grow up in the arms of their father who is the main caregiver character of both. This is where the [REDACTED]

With Regards,



Einat Volakh Kandel  
Chem. des Pins, Geneva, 1206 Switzerland



15.7.21

כבוד השופט ויקטור מררו

The Honorable judge Victor Marrero

United States Southern District Court of New York

500 pearl street, New York

לכבוד כבוד השופט

אני פונה אליך במכתב זה בכדי לספר לך על חבר יקר שלי ושל משפחתי דב מלניק

דב ואני הכרנו לראשונה לפני שנים במסגרת עבודתי [REDACTED] כשהיה טס לעתים תכופות ונפגשנו. החברות העמוקה שלנו החלה בזכות הילדים שלנו שלומדים יחד בגן של הקהילה היהודית בג'נבה.

מאחר ואני ובעלי נמצאים בשליחות בשווייץ לימים דב ומשפחתו הפכו למשפחה שניה שלנו כאן, הילדים שלנו באותם הגילאים ואנחנו משפחות צעירות בלי קרובי משפחה כאן בג'נבה אז אנחנו מבליים יחדיו כשהם בגנבה.

זכיתי להכיר אדם מוסרי חבר ואבא מדהים איש משפחה שמבלה עם הילדים ומקדיש את חיו למשפחתו, אבא מעורב רגיש ומשקיע.

[REDACTED]  
[REDACTED] ארוכים

זכיתי להכיר איש משפחה אדם צנוע ואבא למופת שחושב תמיד קודם כל על טובת הילדים והמשפחה.

אני זוכרת אחרי שבתו השניה נולדה דב התקשר להזמין אותנו לבקר, כשהגענו ימים ספורים לאחר לידת בתו [REDACTED] דובי פתח לנו את הדלת עם [REDACTED] הקטנה בידיו כשהוא מאכיל אותה בבקבוק [REDACTED] הקטן כרוך סביב הרגל שלו, והוא אמר לאשתו שתלך לישון שהוא מטפל בהכל. שאלתי אותו למה הוא מארח וטורח, ושזה בטח נורא קשה עם ניו בורן וילד בן שנתיים בטח הם עייפים אחרי הלידה, והוא אמר לי [REDACTED] הבן שלו רצה [REDACTED] הבת שלנו תכיר את אחותו הקטנה והוא רוצה לתת לבן שלו לחלוק את האושר שלו ושל משפחתו, עם החברה הכי טובה שלו

דב הוא מאנשים ששם גם כקשה. ב תקופה ההריון מתקדם שלי ובתקופת אבל על [REDACTED] שלי, דב היה שם כחבר ותמך בי ובמשפחתי לאורך כל התקופה, לא נתן לי לשקוע, תמיד הציע שפגש שנבלה יחד, בכדי שלא אתמודד לבד.. כשהייתי בשמירת הריון דב הציע תמיד עזרה הסיע את [REDACTED] ונתן לחוגים ופעילויות והשתתף איתם.. והיה ועדין חבר ברגעים היפים והקשים תמיד רגיש לסובבים אותו חברים ומשפחה

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] ת אבא שלהם , שאין מי שיחבק את [REDACTED] בלילה [REDACTED]  
[REDACTED]

עצוב לי לדעת שהיא לא זוכה לחיבוק מאבא שלה.

עצוב לי לדעת שהיא לא ראתה את החיוך על הפנים שלו כשאמרה את המילה הראשונה ואת המשפט הראשון  
או חגגה יום הולדת

[REDACTED]

הקשר שלי ושל דב תמיד היה קשר חברי , מעולם לא דברנו על עבודה מאחר ואני עובדת במקום מסווג והוא עובד  
בפיננסים זה תחום שאין לי הכירות איתו

ולכן אני לא בקיע במה בדיוק קרה , אבל אני כן מכירה מצויין וערבה לדב החבר הקרוב שלי והאבא של [REDACTED]  
הקטנה

אני מבקשת ממך כבוד השופט לשקול ולהקל בעונשו , כי כאן לא רק נשפט אדם אחד אלא גורל של משפחה  
שלמה. אבא שלא זכה לחבק את ילדיו כשבחוץ משתוללת מגפה עולמית. כאן אנחנו מדברים על 2 ילדים שלא  
יזכו לגדול בזרעותיו של אבא שלהם שהוא הדמות המטפלת העיקרית של שניהם. כאן מונחים על הכף

[REDACTED]



בברכה

עינת וולך קנדל

Chem. des Pins, Geneva, 1206 Switzerland

**A-20**

The Honorable Victor Marrero  
United States District Court - Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street, New York, NY 10007

Judy Okten

1208 Geneva, Switzerland

Dear Judge Marrero,

I'd like to share a story about [REDACTED],  
and how much it taught me ab

Please allow me to introduce myself. My name is Judy Okten. I'm a Swiss Citizen, I moved here with my husband from Canada in 2008. I used to work at Procter and Gamble, and since leaving this company, I have founded two Swiss Companies, Vitality Food Lab SARL and 100 Plus SA. We love living here, and I have truly enjoyed becoming a part of the Swiss fabric and way of life. We live in Geneva.

We have two little girls, [REDACTED]. They are some of the mos [REDACTED] 3

[REDACTED] ted  
[REDACTED]  
[REDACTED] though this difficult time. I found out later the donation had come from him. I cannot express how grateful we were. He later expressed how much our journey of resilience inspired him, and how reading [REDACTED] daily stories of struggle and “winning” against the odds had moved him to tears. He mentioned at least financial support could help alleviate our suffering in some small way. And I’m so happy to share that [REDACTED] still active and happy and blissfully

There is nothing more important than the health and happiness of our children.

. Celine is a wonderful ex-ary mother, and anchor and support. [REDACTED] and [REDACTED] need the family to function as a unified whole.

I have learned a lot through my personal journey, both personally and professionally. One of my main life lessons is that life is extremely precious and short. We only get this one shot, so we need to fill it with as much happiness as possible. Dov is one of those people that simply spreads happiness everywhere he goes. He inspires people around him to do their best, to learn and grow, to be kind and generous. He is constantly looking out for others, putting his own needs to the side to make sure his loved ones are thriving and happy. I am thankful to count him among my friends, and I simply hope that he can be back among us as soon as possible.

Thank you for considering my letter as one small testimony of the kind of character Dov Malnik brings to this world.

A handwritten signature in black ink, appearing to read 'Judy Okten', with a stylized flourish at the end.

Judy Okten

0 Plus SA, Vitality Food Lab SARL



**A-21**

The Honorable Victor Marrero

U.S. District Court for the Southern District of New York

Daniel Patrick Moynihan

United States Courthouse

500 Pearl St.

New York, NY 10007-1312

USA

Bristol, 2021 July 11<sup>th</sup>,

Re: Dov Malnik

Dear Judge Marrero:

My name is Isabelle Engeli. I am the sister-in-law of Dov Malnik and the sister of Dov's wife, Céline Engeli. I hold a PhD from the University of Geneva and I am Full Professor of Public Policy at the University of Exeter (UK). I am a Swiss citizen and I live in Bristol (UK).

I have known Dov for close to 12 years. I first heard a lot about him through my sister Céline when they started dating and I met Dov circa 2009. My sister, brother and I have a tradition to never introduce our date to the family until we are sure they are the right one for us. When Céline introduced Dov to the family, I thus immediately knew he was the one. Since the beginning, I have been more than pleased with my sister's choice. Dov is an incredibly nice and sweet person who brightens the room on any occasion. He is very considerate and pays attention to the needs, wishes and feelings of people around him. If I may, I will share a few examples to evidence the qualities of Dov and how much he has become a pillar in our family over the years. Dov is a good man who made a terrible mistake. He is taking responsibility for his mistake and I have no doubt that he will keep being a good man in the future.

Dov is always the first one to ease the atmosphere when there is any tension (as it happens sometimes in any family) at family events. One time, for example, my father bought what must have been the ugliest birthday gift I have ever received! My father always tries very hard

to buy his daughters nice gifts for their birthday and he is always worried that we will not like them. We usually always do like his gifts very much. But that time, it was truly ugly, we could not even figure out what it actually was (after further investigation, it turned out it was an outdoor candle holder in the shape of a fish). Despite all our best intentions, I was speechless, my sister was speechless. Dov saw there was a chance for my father's feelings to get hurt. He immediately stepped in and asserted "this gift is so lovely, I love it" and the tension went away. This is a trivial example, but it shows how much Dov cares about the feelings of people around him even in the silliest situations.

Dov is always ready to help anyone in need. I live and work abroad and visiting beautiful but expensive Switzerland for long periods of time has become almost unaffordable for me with my foreign salary. Before Dov moved out of Geneva, he used to always lent me his apartment in Geneva even at very short notice and always with a big smile. He always aksed me what i needed in order to feel cmfortable, and encouraged me to come often. This generosity has made many visits to my family possible.

Dov has also shown laudable dedication to my mother whenever he was in Geneva, and even in the years when he lived far away, and I will be forever grateful for it. During COVID-19 lockdown last year in Geneva, my mother needed support. She is in the age category at high risk for COVID. She had to stay home as much as possible and grocery shopping became a growing concern for her and for us. I was extremely worried for the health of my mother. I could not do anything to help as I live abroad and was myself also in lockdown in Bristol. I was hugely relieved to see that Dov was able to stay in Geneva for this period, and took over the family responsibility and took care of my mother with the utmost dedication.

Dov is an exemplary father no matter where he was, and has always ensured that their family life is happy, respectful and fulfilling. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] This strong loving bond has never faded since them. The kids adore their father. [REDACTED]'s and [REDACTED]'s eyes brighten when he enters the room or even



just when they speak about him. And the kids are, in return, the heart of Dov's life and thoughts. [REDACTED] for example, received a Christmas gift last year from her father: a toy ice cream cart. Dov was incarcerated at that time but he had already found the most perfect Christmas gift for his daughter months and months before. [REDACTED] was so happy at Christmas to receive a gift from her dad and she has made what must be already thousands of ice creams for Dov since then. According to [REDACTED], Dov's favourites are chocolate and mint ice creams!

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

COVID-19 context in Geneva's prison. Any incarceration is extremely hard on an inmate's kids. The current conditions in the main prison in Geneva have made the separation even more painful. [REDACTED] my sister and of course for Dov.

In addition of the pandemic, the prison where Dov was incarcerated for eight months suffers from chronic overpopulation. The pre-trial prison facility has barely been upgraded since the inception of the prison at the end of the 1970s, while the inmate population has steadily increased. The chronic overpopulation and its consequences for the inmates and the prison officers has regularly hit the news in Geneva but sufficient budget increases have not followed. The substandard conditions at this prison (for being incarcerated and for being a guard there) have been regularly highlighted by the prison officers' union (Union du personnel du corps de police), the Swiss National Commission for the Prevention of Torture (for instance in their 2015 report: [https://www.nkvf.admin.ch/dam/nkvf/fr/data/Berichte/2014/champ-dollon\\_followup/150113\\_followup\\_champ-dollon.pdf.download.pdf/150113\\_followup\\_champ-dollon.pdf](https://www.nkvf.admin.ch/dam/nkvf/fr/data/Berichte/2014/champ-dollon_followup/150113_followup_champ-dollon.pdf.download.pdf/150113_followup_champ-dollon.pdf)), as well as by NGOs and community associations. Doctors from the Geneva University Hospital have demonstrated that the overcrowding in Geneva prison facilities (which peaked as high as 200% a few years ago) has led to a significant increase in self-harm and self-strangulations (Wolff, H. et al. 2016, "Self-harm and overcrowding among prisoners in Geneva, Switzerland", *International Journal of Prisoner Health* volume 12 Issue 1).

The impact of overcrowding on Dov, the kids and my sister has been severe. My University allowed me to teach and work online from Switzerland for three months (November 2020-February 2021) in order for me to support my sister and the family. I have seen with my own eyes how painful the situation has been for the kids and my sister. The prison facility does not have a sufficient number of phones for the inmates to maintain regular contact with their loved ones. Dov was not allowed by the Geneva's prison to call his kids until two months after his incarceration. After that, Dov was allowed to phone his family about only once every other week for a short phone call. [REDACTED] is four years old, he can speak over the phone but cannot entertain a long conversation. [REDACTED] is not even two. She is too small to have any sustained interaction over the phone. Due to COVID-19, the family visits were cancelled. The kids did not see their father at all in the first months, and then every other week behind plexiglass safety screens, with only one child allowed at a time. [REDACTED]

[REDACTED] improved a little bit when Dov found an amazing touching way for communicating with his kids through drawing. They are too small to read or even to have a sustained conversation over the phone or in a prison visit. Dov learned how to draw from scratch while in prison and became

very talented at drawing all sorts of dinosaurs (■■■■'s favorites) and Disney's characters among others. He sent a drawing almost every day and the kids loved it. We all loved it. The drawings were a little bright light in the dark days of the severe duress under which the kids and my sister had to operate in their daily life while Dov was incarcerated in Geneva.

For all these reasons, I am extremely worried about the duress of another period of incarceration for Dov, this time in the United States, on ■■■■, ■■■■ and my sister. The eight months of incarceration in Geneva have placed them in extreme hardship. My sister is a mathematics teacher in Geneva and her daily support system is 100% based in Geneva. A further incarceration would result for ■■■■ and ■■■■ in almost no interaction with their father for very long periods of time. Visits would be extremely scarce. Mail and drawings will take a long time to arrive in Geneva. ■■■■ is too small to talk over the phone, ■■■■ is not big enough to sustain a conversation over the phone either.

Dov made a mistake, he has to take responsibility for it before the American judicial system. I fully understand that justice has to be done and it is, in no way shape or form, my place to comment on it. I only wanted, if I might, through this letter, to share my deep concern about the impact of the severe duress caused by incarceration on the kids and my sister.



Dr. Isabelle Engeli

**A-22**

To:

July 11, 2021

Honorable Victor Marrero  
United States District Court, Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, New York, NY 10007-1312.

Dear Judge Marrero,

I submit this letter on behalf of Dov Malnik in connection with his sentencing.

My name is Judit Klein, and I am married to Dov's younger brother, Ariel, since 2017 and I personally known Dov since 2015, when we first met in Tel-Aviv, Israel. Although Dov has been living in a different country, he has always been remarkably close to his family. He speaks or video chats daily with his brothers and parents.

Over the years, I have witnessed Dov in various occasions in life. Through family gathering, holidays, my own wedding with Ariel and just many other social and family events. I experienced him as a very down to earth individual, family-oriented and always warm and kind to his parents. He is taking care of his children in an admirable way, whether it is by changing diapers, bathing them, coming from work early to play with them, taking them to the doctor or playdates or anything else big or small alike.

I remember that when Dov and Celine had decided to have an event to celebrate their love, it happened to be exactly on a weekend which I planned a surprise getaway for Ariel, his brother. I already bought tickets for a concert in Spain. Dov saw something in me when he handed me the invitation, I told him about my plan, but also told him that I will find a plan B. Dov felt awfully bad about the situation and with no hesitation purchased us new tickets for the same concert in a different city in Europe for a couple weeks later. To be honest, it was the best concert of my life and we also got to enjoy Dov and Celine's celebration.

In 2017, when I married Ariel, I saw how Dov was so happy for us, he was the last person to stay in the venue and even made sure that someone will drive us back to our hotel, as we were in no condition to drive. He also made us a genuinely nice surprise gift during the wedding. This was one of the best day of my life.